



Technical Package Cover Page

This file contains the following documents:

1. Summary of application (in plain language)
 - English
 - Alternative Language (Spanish)
 2. First notice (NORI-Notice of Receipt of Application and Intent to Obtain a Permit)
 - English
 - Alternative Language (Spanish)
 3. Second notice (NAPD-Notice of Preliminary Decision)
 - English
 - Alternative Language (Spanish)
 4. Application materials (**NOTE:** This application was declared Administratively Complete before June 1, 2024. Application materials are available for review at the Public Viewing Location provided in the NORI.)
 5. Draft permit
 6. Technical summary or fact sheet
-



Portada de Paquete Técnico

Este archivo contiene los siguientes documentos:

1. Resumen de la solicitud (en lenguaje sencillo)
 - Inglés
 - Idioma alternativo (español)
2. Primer aviso (NORI, Aviso de Recepción de Solicitud e Intención de Obtener un Permiso)
 - Inglés
 - Idioma alternativo (español)
3. Segundo aviso (NAPD, Aviso de Decisión Preliminar)
 - Inglés
 - Idioma alternativo (español)
4. Materiales de la solicitud (**NOTA:** Esta solicitud se declaró administrativamente completa antes del 1 de junio de 2024. Los materiales de la solicitud están disponibles para revisión en la ubicación de consulta pública que se indica en el NORI.)
5. Proyecto de permiso
6. Resumen técnico u hoja de datos

Plain Language Summary Template and Instructions for Texas Pollutant Discharge Elimination System (TPDES) and Texas Land Application (TLAP) Permit Applications

This template is a guide to assist applicant's in developing a plain language summary as required by [30 Texas Administrative Code Chapter 39 Subchapter H](#). Applicant's may modify the template as necessary to accurately describe their facility as long as the summary includes the following information: (1) the function of the proposed plant or facility; (2) the expected output of the proposed plant or facility; (3) the expected pollutants that may be emitted or discharged by the proposed plant or facility; and (4) how the applicant will control those pollutants, so that the proposed plant will not have an adverse impact on human health or the environment.

Fill in the highlighted areas below to describe your facility and application in plain language. Instructions and examples are provided below. Make any other edits necessary to improve readability or grammar and to comply with the rule requirements.

If you are subject to the alternative language notice requirements in [30 Texas Administrative Code §39.426](#), **you must provide a translated copy of the completed plain language summary in the appropriate alternative language as part of your application package.** For your convenience, a Spanish template has been provided below.

ENGLISH TEMPLATE FOR TPDES or TLAP NEW/RENEWAL/AMENDMENT APPLICATIONS INDUSTRIAL WASTEWATER/STORMWATER

The following summary is provided for this pending water quality permit application being reviewed by the Texas Commission on Environmental Quality as required by 30 Texas Administrative Code Chapter 39. The information provided in this summary may change during the technical review of the application and are not federal enforceable representations of the permit application.

HEP Javelina Company LLC (CN603319880) operates the Javelina Gas Processing Facility (RN102190139) that produces petroleum gas liquids and hydrogen gas. The facility is located at 5314 Interstate Highway 37, Corpus Christi, Nueces County, Texas 78407. The applicant is requesting renewal and amendment of TPDES permit no. WQ0003137000 to increase the daily average, daily maximum, and single grab concentration limits for total copper, total selenium, total zinc, and free cyanide for Outfall 001 (Interim Phase), using site-specific dilution factors in the calculation of water quality-based effluent limits; and to use a site-specific critical dilution for biomonitoring. The wastewater treatment system includes air/steam stripping, oil/water separation, biological treatment, and filtration. The treated wastewaters are mixed with utility wastewaters and discharged to either Outfall 001 or Outfall 002. Utility wastewaters are not treated prior to discharge. Outfall 001 discharges through a series of channels to Tule Lake and then into Corpus Christi Inner Harbor. Outfall 002 is authorized in the TPDES permit as a proposed outfall for discharge directly to Corpus Christi Inner Harbor, but it has not been constructed to-date. The flow rate for Outfalls 001 and 002 is a daily average not to exceed 0.478 million gallons per day.

PLANTILLA EN ESPAÑOL PARA SOLICITUDES NUEVAS/RENOVACIONES/ENMIENDAS DE TPDES o TLAP

AGUAS RESIDUALES INDUSTRIALES/AGUAS PLUVIALES

El siguiente resumen se proporciona para esta solicitud de permiso de calidad del agua pendiente que está siendo revisada por la Comisión de Calidad Ambiental de Texas según lo requerido por el Capítulo 39 del Código Administrativo de Texas 30. La información proporcionada en este resumen puede cambiar durante la revisión técnica de la solicitud y no son representaciones federales exigibles de la solicitud de permiso.

HEP Javelina Company LLC (CN603319880) opera la instalación de procesamiento de gas Javelina (RN102190139) que produce líquidos de gas de petróleo y gas hidrógeno. La instalación está ubicada en 5314 Interstate Highway 37, Corpus Christi, Condado de Nueces, Texas 78407. El solicitante pide una renovación y modificación del permiso TPDES WQ0003137000 para aumentar la media diaria, el máximo diario y los límites de concentración de una sola toma para el cobre total, el selenio total, el zinc total y el cianuro libre para el punto de descarga 001 (Fase Provisional), utilizando factores de dilución específicos del emplazamiento en el cálculo de los límites de efluentes basados en la calidad del agua; y para utilizar una dilución crítica específica del emplazamiento para la biomonitorización. El sistema de tratamiento de aguas residuales incluye separación por aire/vapor, separación de aceite/agua, tratamiento biológico y filtración. Las aguas residuales tratadas se mezclan con las aguas residuales de los servicios públicos y se vierten en el punto de descarga 001 o en el punto de descarga 002. Las aguas residuales de los servicios públicos no se tratan antes de descarga. El punto de descarga 001 vierte a través de una serie de canales en el lago Tule y, a continuación, en el puerto interior de Corpus Christi. El punto de descarga 002 está autorizado en el permiso TPDES como emisario propuesto para verter directamente en el puerto interior de Corpus Christi, pero hasta la fecha no se ha construido. El caudal de los puntos de descarga 001 y 002 es una media diaria no superior a 0.478 millones de galones al día.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN WATER QUALITY PERMIT AMENDMENT

PERMIT NO. WQ0003137000

APPLICATION. HEP Javelina Company, LLC, 5438 Union Street, Corpus Christi, Texas 78407, which owns a petroleum gas liquids processing facility, has applied to the Texas Commission on Environmental Quality (TCEQ) to amend Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0003137000 (EPA I.D. No. TX0105481) to authorize an increase in the daily average, daily maximum, and single grab concentration limits for total copper, total selenium, total zinc, and free cyanide for Outfall 001 (Interim Phase), using site-specific dilution factors in the calculation of water quality-based effluent limits; and to use a site-specific critical dilution for biomonitoring. The facility is located at 5314 Interstate Highway 37, Corpus Christi, in Nueces County, Texas 78407. The discharge route is from the plant site via Outfall 001 to an unnamed drainage ditch; thence to a concrete ditch; thence to a concrete ditch (tidal); thence to the Tule Lake Portion of Corpus Christi Inner Harbor; thence to Corpus Christi Inner Harbor; and via Outfall 002 via pipe directly to the Corpus Christi Inner Harbor. TCEQ received this application on January 23, 2024. The permit application will be available for viewing and copying at La Retama Central Library, First Floor, 805 Comanche Street, Corpus Christi, Texas prior to the date this notice is published in the newspaper. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For the exact location, refer to the application.

<https://gisweb.tceq.texas.gov/LocationMapper/?marker=-97.457222,27.809722&level=18>

The application is subject to the goals and policies of the Texas Coastal Management Program and must be consistent with the applicable Coastal Management Program goals and policies.

ALTERNATIVE LANGUAGE NOTICE. Alternative language notice in Spanish is available at <https://www.tceq.texas.gov/permitting/wastewater/plain-language-summaries-and-public-notices>. El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/wastewater/plain-language-summaries-and-public-notices>.

ADDITIONAL NOTICE. TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. **Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.**

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing.** A contested case hearing is a legal proceeding similar to a civil trial in state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period and, the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. **If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period.**

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send

your request to TCEQ Office of the Chief Clerk at the address below.

INFORMATION AVAILABLE ONLINE. For details about the status of the application, visit the Commissioners' Integrated Database at www.tceq.texas.gov/goto/cid. Search the database using the permit number for this application, which is provided at the top of this notice.

AGENCY CONTACTS AND INFORMATION. Public comments and requests must be submitted either electronically at <https://www14.tceq.texas.gov/epic/eComment/>, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Please be aware that any contact information you provide, including your name, phone number, email address, and physical address will become part of the agency's public record. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at www.tceq.texas.gov/goto/pep. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from HEP Javelina Company, LLC at the address stated above or by calling Mr. Dennis Williams, Environmental Specialist, at 361-648-0550.

Issuance Date: April 12, 2024

Comisión de Calidad Ambiental del Estado de Texas



AVISO DE RECIBO DE LA SOLICITUD E INTENCION DE OBTENER PERMISO PARA LA CALIDAD DEL AGUA MODIFICACION

PERMISO NO. WQ0003137000

SOLICITUD. HEP Javelina Company, LLC, 5438 Union Street, Corpus Christi, Texas 78407, que posee una instalación de procesamiento de líquidos de gas de petróleo, ha solicitado a la Comisión de Calidad Ambiental de Texas (TCEQ) que modifique el Permiso del Sistema de Eliminación de Descargas Contaminantes de Texas (TPDES) No. WQ0003137000 (EPA I.D. No. TX0105481) para autorizar una nueva fuente adicional de aguas residuales de una planta piloto a la descarga de las puntas de descarga 001 y 002. La instalación está ubicada en 5314 Interstate Highway 37, Corpus Christi, en el Condado de Nueces, Texas 78407. La ruta de descarga es desde el sitio de la planta a través de Outfall 001 a una zanja sin nombre; de ahí a la zanja de hormigón (marea); de ahí a la porción Tule Lake de Corpus Christi Inner Harbor; de ahí a Corpus Christi Inner Harbor, y por Outfall 002 a través de una tubería directamente a Corpus Christi Inner Harbor. TCEQ recibió esta solicitud el 23 de enero de 2024. La solicitud de permiso estará disponible para su visualización y copia en La Retama Central Library, Primer Piso, 805 Comanche Street, Corpus Christi, Texas antes de la fecha de publicación de este aviso en el periódico. Este enlace a un mapa electrónico de la ubicación general del sitio o instalación se proporciona como una cortesía pública y no forma parte de la solicitud o aviso. Para conocer la ubicación exacta, consulte la solicitud.

<https://gisweb.tceq.texas.gov/LocationMapper/?marker=-97.457222,27.809722&level=18>

El Director Ejecutivo de la TCEQ ha revisado esta medida para ver si está de acuerdo con los objetivos y las regulaciones del Programa de Administración Costero de Texas (CMP) de acuerdo con las regulaciones del Consejo Coordinador de la Costa (CCC) y ha determinado que la acción es conforme con las metas y regulaciones pertinentes del CMP.

AVISO ADICIONAL. El Director Ejecutivo de la TCEQ ha determinado que la solicitud es administrativamente completa y conducirá una revisión técnica de la solicitud. Después de completar la revisión técnica, el Director Ejecutivo puede preparar un borrador del permiso y emitirá una Decisión Preliminar sobre la solicitud. **El aviso de la solicitud y la decisión preliminar serán publicados y enviado a los que están en la lista de correo de las personas a lo largo del condado que desean**

recibir los avisos y los que están en la lista de correo que desean recibir avisos de esta solicitud. El aviso dará la fecha límite para someter comentarios públicos.

COMENTARIO PUBLICO / REUNION PUBLICA. Usted puede presentar comentarios públicos o pedir una reunión pública sobre esta solicitud. El propósito de una reunión pública es dar la oportunidad de presentar comentarios o hacer preguntas acerca de la solicitud. La TCEQ realiza una reunión pública si el Director Ejecutivo determina que hay un grado de interés público suficiente en la solicitud o si un legislador local lo pide. Una reunión pública no es una audiencia administrativa de lo contencioso.

OPORTUNIDAD DE UNA AUDIENCIA ADMINISTRATIVA DE LO CONTENCIOSO. Después del plazo para presentar comentarios públicos, el Director Ejecutivo considerará todos los comentarios apropiados y preparará una respuesta a todo los comentarios públicos esenciales, pertinentes, o significativos. **A menos que la solicitud haya sido referida directamente a una audiencia administrativa de lo contencioso, la respuesta a los comentarios y la decisión del Director Ejecutivo sobre la solicitud serán enviados por correo a todos los que presentaron un comentario público y a las personas que están en la lista para recibir avisos sobre esta solicitud. Si se reciben comentarios, el aviso también proveerá instrucciones para pedir una reconsideración de la decisión del Director Ejecutivo y para pedir una audiencia administrativa de lo contencioso.** Una audiencia administrativa de lo contencioso es un procedimiento legal similar a un procedimiento legal civil en un tribunal de distrito del estado.

PARA SOLICITAR UNA AUDIENCIA DE CASO IMPUGNADO, USTED DEBE INCLUIR EN SU SOLICITUD LOS SIGUIENTES DATOS: su nombre, dirección, y número de teléfono; el nombre del solicitante y número del permiso; la ubicación y distancia de su propiedad/actividad con respecto a la instalación; una descripción específica de la forma cómo usted sería afectado adversamente por el sitio de una manera no común al público en general; una lista de todas las cuestiones de hecho en disputa que usted presente durante el período de comentarios; y la declaración "[Yo/nosotros] solicito/solicitamos una audiencia de caso impugnado". Si presenta la petición para una audiencia de caso impugnado de parte de un grupo o asociación, debe identificar una persona que representa al grupo para recibir correspondencia en el futuro; identificar el nombre y la dirección de un miembro del grupo que sería afectado adversamente por la planta o la actividad propuesta; proveer la información indicada anteriormente con respecto a la ubicación del miembro afectado y su distancia de la planta o actividad propuesta; explicar cómo y porqué el miembro sería afectado; y explicar cómo los intereses que el grupo desea proteger son pertinentes al propósito del grupo.

Después del cierre de todos los períodos de comentarios y de petición que aplican, el Director Ejecutivo enviará la solicitud y cualquier petición para reconsideración o para una audiencia de caso impugnado a los Comisionados de la TCEQ para su consideración durante una reunión programada de la Comisión. La Comisión sólo puede conceder una solicitud de una audiencia de caso impugnado sobre los temas que el solicitante haya presentado en sus comentarios oportunos que no fueron retirados posteriormente. Si se concede una audiencia, el tema de la audiencia estará limitado a cuestiones de hecho en disputa o cuestiones mixtas de hecho y de derecho relacionadas a intereses pertinentes y materiales de calidad del agua que se hayan presentado durante el período de comentarios.

LISTA DE CORREO. Si somete comentarios públicos, un pedido para una audiencia administrativa de lo contencioso o una reconsideración de la decisión del Director Ejecutivo, la Oficina del Secretario Principal enviará por correo los avisos públicos en relación con la solicitud. Además, puede pedir que la TCEQ ponga su nombre en una o más de las listas de correos siguientes (1) la lista de correo permanente para recibir los avisos de el solicitante indicado por nombre y número del permiso específico y/o (2) la lista de correo de todas las solicitudes en un condado específico. Si desea que se agregue su nombre en una de las listas designe cual lista(s) y envíe por correo su pedido a la Oficina del Secretario Principal de la TCEQ.

CONTACTOS E INFORMACIÓN A LA AGENCIA. Todos los comentarios públicos y solicitudes deben ser presentadas electrónicamente vía <http://www14.tceq.texas.gov/epic/eComment/> o por escrito dirigidos a la Comisión de Texas de Calidad Ambiental, Oficial de la Secretaría (Office of Chief Clerk), MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Tenga en cuenta que cualquier información personal que usted proporcione, incluyendo su nombre, número de teléfono, dirección de correo electrónico y dirección física pasarán a formar parte del registro público de la Agencia. Para obtener más información acerca de esta solicitud de permiso o el proceso de permisos, llame al programa de educación pública de la TCEQ, gratis, al 1-800-687-4040. Si desea información en Español, puede llamar al 1-800-687-4040.

También se puede obtener información adicional del HEP Javelina Company, LLC a la dirección indicada arriba o llamando a Sra. Heather Aley, Environmental Supervisor, al 469-512-2943.

Fecha de emisión 12 de abril de 2024

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF APPLICATION AND PRELIMINARY DECISION FOR TPDES PERMIT FOR INDUSTRIAL WASTEWATER

AMENDMENT

PERMIT NO. WQ0003137000

APPLICATION AND PRELIMINARY DECISION. HEP Javelina Company, LLC, 5438 Union Street, Corpus Christi, Texas 78407, which operates the Javelina Gas Processing Facility, a petroleum gas liquids processing facility, has applied to the Texas Commission on Environmental Quality (TCEQ) for a major amendment of Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0003137000 to increase the daily average, daily maximum, and single grab concentration limits for total copper, total selenium, total zinc, and free cyanide for Outfall 001 interim phase; use site-specific dilution factors to calculate the water quality-based effluent limits for Outfall 001 interim phase; and to use a site-specific critical dilution for biomonitoring requirements for Outfall 001 interim phase. The draft permit authorizes the discharge of treated process wastewater, utility wastewater, water treatment wastes, and stormwater at a daily average dry-weather flow not to exceed 478,000 gallons per day via Outfall 001 in the interim phase and Outfall 002; and on an intermittent and flow-variable basis via Outfall 001 in the final phase. The TCEQ received this application on January 23, 2024.

The facility is located at 5314 Interstate Highway 37, in the City of Corpus Christi, Nueces County, Texas 78407. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application. <https://gisweb.tceq.texas.gov/LocationMapper/?marker=-97.457222,27.809722&level=18>

The effluent is discharged via Outfall 001 to an unnamed drainage ditch, thence to a concrete ditch, thence to a concrete ditch (tidal), thence to the Tule Lake portion of Corpus Christi Inner Harbor, thence to Corpus Christi Inner Harbor in Segment No. 2484 of the Bays and Estuaries; and via Outfall 002 through a pipe directly to Corpus Christi Inner Harbor in Segment No. 2484 of the Bays and Estuaries. The unclassified receiving water uses are minimal aquatic life use for the unnamed drainage ditch and the concrete ditch, and intermediate aquatic life use for concrete ditch (tidal). The designated uses for Segment No. 2484 are non-contact recreation and intermediate aquatic life use.

In accordance with Title 30 Texas Administrative Code Section 307.5 and TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in the concrete ditch (tidal), Tule Lake portion of Corpus Christi Inner Harbor, and Corpus Christi Inner Harbor, which has been identified as having intermediate aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

The TCEQ Executive Director reviewed this action for consistency with the Texas Coastal Management Program (CMP) goals and policies in accordance with the regulations of the General Land Office and has determined that the action is consistent with the applicable CMP goals and policies.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at La Retama Central Library, First Floor, 805 Comanche Street, Corpus Christi, Texas. The application and associated notices are available electronically at the following webpage:

<https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications>

ALTERNATIVE LANGUAGE NOTICE. Alternative language notice in Spanish is available at <https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications>. El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications>.

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit written or oral comment or to ask questions about the application. Generally, the TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for public comments, the Executive Director will consider the comments and prepare a response to all relevant and material, or significant public comments. **The response to comments, along with the Executive Director's decision on the application, will be mailed to everyone who submitted public comments or who requested to be on a mailing list for this application. If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision.** A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period; and the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. **If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period.**

EXECUTIVE DIRECTOR ACTION. The Executive Director may issue final approval of the application unless a timely contested case hearing request or a timely request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and requests to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be added to: (1) the permanent list for a specific applicant name and permit number; and (2) the mailing list for a specific county. If you wish to be placed on the permanent and the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087 or electronically at <https://www.tceq.texas.gov/goto/comment/> within 30 days from the date of newspaper publication of this notice.

INFORMATION AVAILABLE ONLINE. For details about the status of the application, visit the Commissioners' Integrated Database at <https://www.tceq.texas.gov/goto/cid/>. Search the database using the permit number for this application, which is provided at the top of this notice.

AGENCY CONTACTS AND INFORMATION. Public comments and requests must be submitted either electronically at <https://www.tceq.texas.gov/goto/comment/> or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Please be aware that any contact information you provide, including your name, phone number, email address, and physical address will become part of the agency's public record. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, toll free, at 1-800-687-4040 or visit their website at <https://www.tceq.texas.gov/agency/decisions/participation/permitting-participation>. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from HEP Javelina Company, LLC at the address stated above or by calling Mr. Dennis Williams, Environmental Specialist, at (361) 648-0550.

Issued: March 17, 2026

Comisión De Calidad Ambiental Del Estado De Texas



AVISO DE LA SOLICITUD Y DECISIÓN PRELIMINAR PARA EL PERMISO DEL SISTEMA DE ELIMINACION DE DESCARGAS DE CONTAMINANTES DE TEXAS (TPDES) PARA AGUAS RESIDUALES INDUSTRIALES

MODIFICACIÓN

PERMISO NO. WQ0003137000

SOLICITUD Y DECISIÓN PRELIMINAR. HEP Javelina Company, LLC, 5438 Union Street, Corpus Christi, Texas 78407, que opera la Instalación de Procesamiento de Gas Javelina, una instalación de procesamiento de líquidos de gas petrolífero, ha solicitado ante la Comisión de Calidad Ambiental de Texas (TCEQ) una enmienda importante del Permiso n° WQ0003137000 aumentar los límites de concentración media diaria, máxima diaria y de una sola garra para cobre total, selenio total, zinc total y cianuro libre para la fase intermedia de salida 001; utilizar factores de dilución específicos del sitio para calcular los límites de efluentes basados en la calidad del agua para la fase intermedia de salida 001; y utilizar una dilución crítica específica del sitio para los requisitos de biomonitorización de la fase intermedia de salida 001. El borrador autoriza la descarga de aguas residuales de proceso tratadas, aguas residuales de servicios públicos, residuos de tratamiento de agua y aguas pluviales con un caudal medio diario en seco que no debe exceder los 478.000 galones diarios a través de la Salida 001 en la fase intermedia y la Salida 002; y en base intermitente y variable de flujo mediante la salida 001 en la fase final. La TCEQ recibió esta solicitud el 23 de enero de 2024.

La instalación está situada en el 5314 de la Interestatal 37, en la ciudad de Corpus Christi, condado de Nueces, Texas 78407. Este enlace a un mapa electrónico de la ubicación general del sitio o instalación se proporciona como cortesía pública y no forma parte de la solicitud ni del aviso. Para la ubicación exacta, consulta la solicitud.

<https://gisweb.tceq.texas.gov/LocationMapper/?marker=-97.457222,27.809722&level=18>

El efluente se descarga a través de la Salida 001 a una zanja de drenaje sin nombre, luego a una zanja de hormigón, luego a una zanja de hormigón (marea), después a la parte del lago Tule del Puerto Interior de Corpus Christi, y de ahí al Puerto Interior de Corpus Christi en el Segmento n° 2484 de las Bahías y Estuarios; y vía Desagüe 002 a través de una tubería directamente al Puerto Interior de Corpus Christi en el Segmento n° 2484 de las bahías y estuarios. Los usos de agua receptora no clasificados son: uso mínimo de vida acuática para la zanja de drenaje sin nombre y la zanja de hormigón, y uso intermedio para la zanja de hormigón (marea). Los usos designados para el Segmento n° 2484 son recreación sin contacto y uso intermedio de vida acuática.

De acuerdo con el Título 30 del Código Administrativo de Texas, Sección 307.5 y los *Procedimientos para la Implementación de los Estándares de Calidad de Aguas Superficiales de Texas* (junio de 2010), se realizó una revisión antidegradación de las aguas receptoras. Una revisión antidegradación de Nivel 1 ha determinado preliminarmente que los usos existentes de calidad del agua no se verán afectados por esta acción de permiso. Una revisión de Nivel 2 ha determinado preliminarmente que no se espera una degradación significativa de la calidad del agua en la zanja de hormigón (marea), la parte del lago Tule del Puerto Interior de Corpus Christi y el Puerto Interior de Corpus Christi, que ha sido identificado como con un uso intermedio de vida acuática. Los usos existentes se mantendrán y protegerán. La determinación preliminar puede ser reexaminada y modificada si se recibe nueva información.

El Director Ejecutivo de la TCEQ ha revisado esta medida para ver si está de acuerdo con los objetivos y las regulaciones del Programa de Administración Costero de Texas (CMP) de acuerdo con las regulaciones del Consejo Coordinador de la Costa (CCC) y ha determinado que la acción es conforme con las metas y regulaciones pertinentes de el CMP.

El Director Ejecutivo de la TCEQ ha completado la revisión técnica de la solicitud y ha preparado un borrador del permiso. El borrador del permiso, si es aprobado, establecería las condiciones bajo las cuales la instalación debe operar. El Director Ejecutivo ha tomado una decisión preliminar que si este permiso es emitido, cumple con todos los requisitos normativos y legales. La solicitud de permiso, la decisión preliminar del Director Ejecutivo y el borrador del permiso están disponibles para consulta y copia en la Biblioteca Central de La Retama, Primera Planta, 805 Comanche Street, Corpus Christi, Texas. La solicitud y los avisos asociados están disponibles electrónicamente en la siguiente página web:
<https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications>.

AVISO DE IDIOMA ALTERNATIVO. El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/wastewater/plain-languagesummaries-and-public-notice>.

COMENTARIO PUBLICO / REUNION PUBLICA. Usted puede presentar comentarios públicos o pedir una reunión pública sobre esta solicitud.

El propósito de una reunión pública es dar la oportunidad de presentar comentarios o hacer preguntas acerca de la solicitud. La TCEQ realiza una reunión pública si el Director Ejecutivo determina que hay un grado de interés público suficiente en la solicitud o si un legislador local lo pide. Una reunión pública no es una audiencia administrativa de lo contencioso.

OPORTUNIDAD DE UNA AUDIENCIA ADMINISTRATIVA DE LO

CONTENCIOSO. Después del plazo para presentar comentarios públicos, el Director Ejecutivo considerará todos los comentarios apropiados y preparará una respuesta a todo los comentarios públicos esenciales, pertinentes, o significativos. **A menos que la solicitud haya sido referida directamente a una audiencia administrativa de lo contencioso, la respuesta a los comentarios y la decisión del Director Ejecutivo sobre la solicitud serán enviados por correo a todos los que presentaron un comentario público y a las personas que están en la lista para recibir avisos sobre esta solicitud. Si se reciben comentarios, el aviso también proveerá instrucciones para pedir una reconsideración de la decisión del Director Ejecutivo y para pedir una audiencia administrativa de lo contencioso.** Una audiencia administrativa de lo contencioso es un procedimiento legal similar a un procedimiento legal civil en un tribunal de distrito del estado.

PARA SOLICITAR UNA AUDIENCIA DE CASO IMPUGNADO, USTED DEBE INCLUIR EN SU SOLICITUD LOS SIGUIENTES DATOS: su nombre, dirección, y número de teléfono; el nombre del solicitante y número del permiso; la ubicación y distancia de su propiedad/actividad con respecto a la instalación; una descripción específica de la forma cómo usted sería afectado adversamente por el sitio de una manera no común al público en general; una lista de todas las cuestiones de hecho en disputa que usted presente durante el período de comentarios; y la declaración "[Yo/nosotros] solicito/solicitamos una audiencia de caso impugnado". Si presenta la petición para una audiencia de caso impugnado de parte de un grupo o asociación, debe identificar una persona que representa al grupo para recibir correspondencia en el futuro; identificar el nombre y la dirección de un miembro del grupo que sería afectado adversamente por la planta o la actividad propuesta; proveer la información indicada anteriormente con respecto a la ubicación del miembro afectado y su distancia de la planta o actividad propuesta; explicar cómo y porqué el miembro sería afectado; y explicar cómo los intereses que el grupo desea proteger son pertinentes al propósito del grupo.

Después del cierre de todos los períodos de comentarios y de petición que aplican, el Director Ejecutivo enviará la solicitud y cualquier petición para reconsideración o para una audiencia de caso impugnado a los Comisionados de la TCEQ para su consideración durante una reunión programada de la Comisión.

La Comisión sólo puede conceder una solicitud de una audiencia de caso impugnado sobre los temas que el solicitante haya presentado en sus comentarios oportunos que no fueron retirados posteriormente. **Si se concede una audiencia, el tema de la audiencia estará limitado a cuestiones de hecho en disputa o cuestiones mixtas de hecho y de derecho relacionadas a intereses pertinentes y materiales de calidad del agua que se hayan presentado durante el período de comentarios.**

ACCIÓN DEL DIRECTOR EJECUTIVO. El Director Ejecutivo puede emitir una aprobación final de la solicitud a menos que exista un pedido antes del plazo de vencimiento de una audiencia administrativa de lo contencioso o se ha presentado un pedido de reconsideración. Si un pedido ha llegado antes del plazo de vencimiento de la audiencia o el pedido de reconsideración ha sido presentado, el Director Ejecutivo no emitirá una aprobación final sobre el permiso y enviará la solicitud y el pedido a los Comisionados de la TECQ para consideración en una reunión programada de la Comisión.

LISTA DE CORREO. Si somete comentarios públicos, un pedido para una audiencia administrativa de lo contencioso o una reconsideración de la decisión del Director Ejecutivo, la Oficina del Secretario Principal enviará por correo los avisos públicos en relación con la solicitud. Además, puede pedir que la TCEQ ponga su nombre en una o más de las listas de correos siguientes (1) la lista de correo permanente para recibir los avisos de el solicitante indicado por nombre y número del permiso específico y/o (2) la lista de correo de todas las solicitudes en un condado específico. Si desea que se agregue su nombre en una de las listas designe cual lista(s) y envía por correo su pedido a la Oficina del Secretario Principal de la TCEQ.

Todos los comentarios escritos del público y los pedidos una reunión deben ser presentados durante los 30 días después de la publicación del aviso a la Oficina del Secretario Principal, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087 or por el internet a <https://www.tceq.texas.gov/goto/comment>. Tenga en cuenta que cualquier información personal que usted proporcione, incluyendo su nombre, número de teléfono, dirección de correo electrónico y dirección física pasarán a formar parte del registro público de la Agencia.

INFORMACIÓN DISPONIBLE EN LÍNEA. Para obtener detalles sobre el estado de la solicitud, visite la Base de Datos Integrada de los Comisionados en <https://www.tceq.texas.gov/goto/cid/>. Busque en la base de datos utilizando el número de permiso para esta solicitud, que se proporciona en la parte superior de este aviso.

CONTACTOS E INFORMACIÓN DE LA AGENCIA. Los comentarios y solicitudes públicas deben enviarse electrónicamente a <https://www.tceq.texas.gov/goto/comment>, o por escrito a Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Cualquier información personal que envíe a la TCEQ pasará a formar parte del registro de la agencia; esto incluye las direcciones de correo electrónico. Para obtener más información sobre esta solicitud de permiso o el proceso de permisos, llame al Programa de Educación Pública de la TCEQ, sin cargo, al 1-800-687-4040 o visite su sitio web en <https://www.tceq.texas.gov/agency/decisions/participation/permitting-participation>. Si desea información en español, puede llamar al 1-800-687-4040.

También se puede obtener más información en HEP Javelina Company, LLC en la dirección indicada anteriormente o llamando al Sr. Dennis Williams, Especialista Ambiental, en el (361) 648-0550.

Fecha de emisión 17 de marzo de 2026



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

P.O. Box 13087
Austin, Texas 78711-3087

PERMIT TO DISCHARGE WASTES

under provisions of
Section 402 of the Clean Water Act
and Chapter 26 of the Texas Water Code

TPDES PERMIT NO.
WQ0003137000
*[For TCEQ office use only -
EPA I.D. No. TX0105481]*

This major amendment with
renewal replaces TPDES Permit No.
WQ0003137000, issued on
November 16, 2023.

HEP Javelina Company, LLC

whose mailing address is

5438 Union Street
Corpus Christi, Texas 78407

is authorized to treat and discharge wastes from the Javelina Gas Processing Facility, a petroleum gas liquids processing facility (SIC 4925)

located at 5314 Interstate Highway 37, in the City of Corpus Christi, Nueces County, Texas 78407

via Outfall 001 to an unnamed drainage ditch, thence to a concrete ditch, thence to a concrete ditch (tidal), thence to the Tule Lake portion of Corpus Christi Inner Harbor, thence to Corpus Christi Inner Harbor; and via Outfall 002 through a pipe directly to Corpus Christi Inner Harbor in Segment No. 2484 of the Bays and Estuaries

only according to effluent limitations, monitoring requirements, and other conditions set forth in this permit, as well as the rules of the Texas Commission on Environmental Quality (TCEQ), the laws of the State of Texas, and other orders of the TCEQ. The issuance of this permit does not grant to the permittee the right to use private or public property for conveyance of wastewater along the discharge route described in this permit. This includes, but is not limited to, property belonging to any individual, partnership, corporation, or other entity. Neither does this permit authorize any invasion of personal rights nor any violation of federal, state, or local laws or regulations. It is the responsibility of the permittee to acquire property rights as may be necessary to use the discharge route.

This permit shall expire at midnight, five years from the date of permit issuance.

ISSUED DATE:

For the Commission

1. During the period beginning upon the date of issuance and lasting through the start-up of discharge via Outfall 002 or the date of expiration, whichever comes first, the permittee is authorized to discharge treated process wastewater ², utility wastewater ³, water treatment wastes ³, and stormwater subject to the following effluent limitations:

The daily average dry-weather flow ⁴ of effluent shall not exceed 0.478 million gallons per day (MGD). The daily maximum flow shall not exceed 1.13 MGD.

Effluent Characteristics	Discharge Limitations				Minimum Self-Monitoring Requirements		
	Daily Average		Daily Maximum		Single Grab	Report Daily Average and Daily Maximum	
	lbs/day	mg/L	lbs/day	mg/L		mg/L	Measurement Frequency
Flow	0.478 MGD		1.13 MGD		N/A	Continuous	Record
Total Suspended Solids	120	30	399	100	150	2/week	Composite
Carbonaceous Biochemical Oxygen Demand (5-day)	60	15	120	30	45	2/week	Composite
Chemical Oxygen Demand	598	150	798	200	250	2/week	Composite
Oil and Grease	40	10	60	15	15	2/week	Grab
Ammonia (as N)	12	3.0	40	10	15	2/week	Composite
Total Residual Chlorine	Report	Report	Report	Report	N/A	1/week	Grab
Sulfides	0.88	0.22	1.76	0.44	1.0	1/week	Composite
Total Copper	N/A	0.055	N/A	0.12	0.12	1/week	Grab
Total Selenium	N/A	0.017	N/A	0.036	0.036	1/week	Grab
Total Zinc	N/A	0.23	N/A	0.48	0.48	1/week	Grab
Free Cyanide	N/A	0.0082	N/A	0.017	0.017	1/week	Grab

- ¹ The interim phase refers to the period during which currently authorized waste streams are permitted to discharge via Outfall 001, pending their future rerouting to the planned Outfall 002.
- ² Includes process wastewater from the Infinium pilot plant.
- ³ See Other Requirement No. 11. Includes utility wastewater from the Infinium pilot plant.
- ⁴ Applicable during dry-weather conditions only. See Other Requirement No. 6.

Effluent Characteristics	Discharge Limitations			Minimum Self-Monitoring Requirements	
	7-day Minimum	30-day Average	Single Grab	Measurement Frequency	Sample Type
Sublethal Whole Effluent Toxicity limit 23% (Parameter 51713)					
<i>Americamysis bahia</i> (7-day chronic IC ₂₅ ⁵)	23%	23%	N/A	1/quarter	Composite
Sublethal Whole Effluent Toxicity limit 23% (Parameter 51712)					
<i>Menidia beryllina</i> (7-day chronic IC ₂₅ ⁵)	23%	23%	N/A	1/quarter	Composite
24-hour acute Whole Effluent Toxicity limit >100% (Parameter 51713)					
<i>Americamysis bahia</i> (24-hour acute LC ₅₀ ⁶)	>100%	>100%	N/A	1/six months	Composite

⁵ The IC₂₅ is defined as the inhibition concentration of effluent that would cause a 25% reduction in the specified endpoint.

⁶ The LC₅₀ (Lethal Concentration) is defined as the effluent dilution at which 50% of the organisms survive.

2. The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored 1/day by grab sample.
3. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
4. Effluent monitoring samples shall be taken at Outfall 001 Interim Phase, located inside the channel weir box in the north-east corner of the plant property (when discharging to ditch).

1. During the period beginning upon the start-up of discharge via Outfall 002 and lasting through the date of expiration, the permittee is authorized to discharge treated process wastewater ², utility wastewater ³, water treatment wastes ³, and stormwater subject to the following effluent limitations:

Intermittent and flow-variable ⁴.

Effluent Characteristics	Discharge Limitations			Minimum Self-Monitoring Requirements	
	Daily Average mg/L	Daily Maximum mg/L	Single Grab mg/L	Report Daily Average and Daily Maximum Measurement Frequency	Sample Type
Flow (MGD)	Report	Report	N/A	1/day ⁵	Estimate
Total Suspended Solids	30	100	100	1/week ⁵	Grab
Chemical Oxygen Demand	150	200	200	1/week ⁵	Grab
Oil and Grease	10	15	15	1/week ⁵	Grab
Total Residual Chlorine	Report	Report	N/A	1/week ⁵	Grab
Sulfides	0.22	0.44	0.44	1/week ⁵	Grab
Rainfall ⁴	N/A	Report, inches	N/A	Daily ⁵	Continuous

2. The pH must not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored 1/day ⁵ by grab sample.
3. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
4. Effluent monitoring samples shall be taken at Outfall 001 Final Phase, located inside the channel weir box in the north-east corner of the plant property (when discharging to ditch).

¹ See Other Requirement No. 12.

² Includes process wastewater from the Infinium pilot plant.

³ See Other Requirement No. 11. Includes utility wastewater from the Infinium pilot plant.

⁴ See Other Requirement No. 14.

⁵ When discharge occurs.

⁶ The Final Phase refers to **the emergency discharge under Other Requirement No. 14** after the commencement of discharge via planned Outfall 002 for those waste streams currently authorized for discharge through Outfall 001.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Outfall Number 002 ¹

1. During the period beginning upon the start-up of discharge via Outfall 002 and lasting through the date of permit expiration, the permittee is authorized to discharge treated process wastewater ², utility wastewater ³, water treatment wastes ³, and stormwater subject to the following effluent limitations:

The daily average dry-weather flow ⁴ of effluent shall not exceed 0.478 million gallons per day (MGD). The daily maximum flow shall not exceed 1.13 MGD.

Effluent Characteristics	Discharge Limitations				Minimum Self-Monitoring Requirements		
	Daily Average		Daily Maximum		Single Grab	Report Daily Average and Daily Maximum	
	lbs/day	mg/L	lbs/day	mg/L		mg/L	Measurement Frequency
Flow	0.478 MGD		1.13 MGD		N/A	Continuous	Record
Total Suspended Solids	120	30	399	100	150	2/week	Composite
Carbonaceous Biochemical Oxygen Demand (5-day)	60	15	120	30	45	2/week	Composite
Chemical Oxygen Demand	598	150	798	200	250	2/week	Composite
Oil and Grease	40	10	60	15	15	2/week	Grab
Ammonia (as N)	12	3.0	40	10	15	2/week	Composite
Total Residual Chlorine	Report	Report	Report	Report	N/A	1/week	Grab
Sulfides	0.88	0.22	1.76	0.44	1.0	1/week	Composite
Total Copper ⁵	Report	Report	Report	Report	N/A	1/week	Grab
Total Selenium ⁵	Report	Report	Report	Report	N/A	1/week	Grab
Total Zinc ⁵	Report	Report	Report	Report	N/A	1/week	Grab
Free Cyanide ⁶	Report	Report	Report	Report	N/A	1/week	Grab
Free Cyanide ⁷	Report	0.0088	Report	0.019	0.019	1/week	Grab

¹ See Other Requirement No. 12.

² Includes process wastewater from the Infinium pilot plant.

³ See Other Requirement No. 11. Includes utility wastewater from the Infinium pilot plant.

⁴ Applicable during dry-weather conditions only. See Other Requirement No. 6.

⁵ Effective beginning on date of permit issuance and expiring on the date of permit expiration.

⁶ Effective beginning on the date of initial discharge and lasting for three years (1095 days).

⁷ Becoming effective three years (1095 days) after initial discharge and lasting for permit expiration.

Effluent Characteristics	Discharge Limitations			Minimum Self-Monitoring Requirements	
	7-day Minimum	30-day Average	Single Grab	Measurement Frequency	Sample Type
Sublethal Whole Effluent Toxicity limit 8% (Parameter 51713)					
<i>Americamysis bahia</i> (7-day chronic IC ₂₅ ⁶)	8%	8%	N/A	1/quarter	Composite
Sublethal Whole Effluent Toxicity limit 8% (Parameter 51712)					
<i>Menidia beryllina</i> (7-day chronic IC ₂₅ ⁶)	8%	8%	N/A	1/quarter	Composite
24-hour acute Whole Effluent Toxicity limit >100% (Parameter 51713)					
<i>Americamysis bahia</i> (24-hour acute LC ₅₀ ⁷)	>100%	>100%	N/A	1/six months	Composite

⁶ The IC₂₅ is defined as the inhibition concentration of effluent that would cause a 25% reduction in the specified endpoint.

⁷ The LC₅₀ (Lethal Concentration) is defined as the effluent dilution at which 50% of the organisms survive.

2. The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units and shall be monitored 1/day by grab sample.
3. There shall be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
4. Effluent monitoring samples shall be taken at Outfall 002, at the submerged pipe prior to discharge to the Corpus Christi Inner Harbor.

DEFINITIONS AND STANDARD PERMIT CONDITIONS

As required by Title 30 Texas Administrative Code (TAC) Chapter 305, certain regulations appear as standard conditions in waste discharge permits. 30 TAC §§305.121 - 305.129 (relating to Permit Characteristics and Conditions) as promulgated under the Texas Water Code (TWC) §§5.103 and 5.105, and the Texas Health and Safety Code (THSC) §§361.017 and 361.024(a), establish the characteristics and standards for waste discharge permits, including sewage sludge, and those sections of 40 Code of Federal Regulations (CFR) Part 122 adopted by reference by the Commission. The following text includes these conditions and incorporates them into this permit. All definitions in Texas Water Code §26.001 and 30 TAC Chapter 305 shall apply to this permit and are incorporated by reference. Some specific definitions of words or phrases used in this permit are as follows:

1. Flow Measurements

- a. Annual average flow - the arithmetic average of all daily flow determinations taken within the preceding 12 consecutive calendar months. The annual average flow determination shall consist of daily flow volume determinations made by a totalizing meter, charted on a chart recorder, and limited to major domestic wastewater discharge facilities with a one million gallons per day or greater permitted flow.
- b. Daily average flow - the arithmetic average of all determinations of the daily flow within a period of one calendar month. The daily average flow determination shall consist of determinations made on at least four separate days. If instantaneous measurements are used to determine the daily flow, the determination shall be the arithmetic average of all instantaneous measurements taken during that month. Daily average flow determination for intermittent discharges shall consist of a minimum of three flow determinations on days of discharge.
- c. Daily maximum flow - the highest total flow for any 24-hour period in a calendar month.
- d. Instantaneous flow - the measured flow during the minimum time required to interpret the flow measuring device.
- e. 2-hour peak flow (domestic wastewater treatment plants) - the maximum flow sustained for a two-hour period during the period of daily discharge. The average of multiple measurements of instantaneous maximum flow within a two-hour period may be used to calculate the 2-hour peak flow.
- f. Maximum 2-hour peak flow (domestic wastewater treatment plants) - the highest 2-hour peak flow for any 24-hour period in a calendar month.

2. Concentration Measurements

- a. Daily average concentration - the arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar month, consisting of at least four separate representative measurements.
 - i. For domestic wastewater treatment plants - When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values in the previous four consecutive month period consisting of at least four measurements shall be utilized as the daily average concentration.
 - ii. For all other wastewater treatment plants - When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values taken during the month shall be utilized as the daily average concentration.
- b. 7-day average concentration - the arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar week, Sunday through Saturday.
- c. Daily maximum concentration - the maximum concentration measured on a single day, by the sample type specified in the permit, within a period of one calendar month.
- d. Daily discharge - the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in terms of mass, the "daily discharge" is calculated as the total

mass of the pollutant discharged over the sampling day. For pollutants with limitations expressed in other units of measurement, the “daily discharge” is calculated as the average measurement of the pollutant over the sampling day.

The “daily discharge” determination of concentration made using a composite sample shall be the concentration of the composite sample. When grab samples are used, the “daily discharge” determination of concentration shall be the arithmetic average (weighted by flow value) of all samples collected during that day.

- e. Bacteria concentration (Fecal coliform, *E. coli*, or Enterococci) – the number of colonies of bacteria per 100 milliliters effluent. The daily average bacteria concentration is a geometric mean of the values for the effluent samples collected in a calendar month. The geometric mean shall be determined by calculating the *n*th root of the product of all measurements made in a calendar month, where *n* equals the number of measurements made; or computed as the antilogarithm of the arithmetic mean of the logarithms of all measurements made in a calendar month. For any measurement of bacteria equaling zero, a substitute value of one shall be made for input into either computation method. If specified, the 7-day average for bacteria is the geometric mean of the values for all effluent samples collected during a calendar week.
- f. Daily average loading (lbs/day) - the arithmetic average of all daily discharge loading calculations during a period of one calendar month. These calculations must be made for each day of the month that a parameter is analyzed. The daily discharge, in terms of mass (lbs/day), is calculated as (Flow, MGD × Concentration, mg/L × 8.34).
- g. Daily maximum loading (lbs/day) - the highest daily discharge, in terms of mass (lbs/day), within a period of one calendar month.

3. Sample Type

- a. Composite sample - For domestic wastewater, a composite sample is a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC §319.9(a). For industrial wastewater, a composite sample is a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC §319.9(c).
 - b. Grab sample - an individual sample collected in less than 15 minutes.
4. Treatment Facility (facility) - wastewater facilities used in the conveyance, storage, treatment, recycling, reclamation or disposal of domestic sewage, industrial wastes, agricultural wastes, recreational wastes, or other wastes including sludge handling or disposal facilities under the jurisdiction of the Commission.
 5. The term “sewage sludge” is defined as solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in 30 TAC Chapter 312. This includes the solids that have not been classified as hazardous waste separated from wastewater by unit processes.
 6. Bypass - the intentional diversion of a waste stream from any portion of a treatment facility.

MONITORING AND REPORTING REQUIREMENTS

1. Self-Reporting

Monitoring results shall be provided at the intervals specified in the permit. Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall conduct effluent sampling and reporting in accordance with 30 TAC §§319.4 - 319.12. Unless otherwise specified, effluent monitoring data shall be submitted each month, to the Enforcement Division (MC 224), by the 20th day of the following month for each discharge that is described by this permit whether or not a discharge is made for that month. Monitoring results must be submitted online using the NetDMR reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver. Monitoring results must be signed and certified as required by Monitoring and Reporting Requirements No. 10.

As provided by state law, the permittee is subject to administrative, civil and criminal penalties, as applicable, for negligently or knowingly violating the Clean Water Act; TWC Chapters 26, 27, and 28; and THSC Chapter 361, including but not limited to knowingly making any false statement, representation, or certification on any report, record, or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance, or falsifying, tampering with or knowingly rendering inaccurate any monitoring device or method required by this permit or violating any other requirement imposed by state or federal regulations.

2. Test Procedures

- a. Unless otherwise specified in this permit, test procedures for the analysis of pollutants shall comply with procedures specified in 30 TAC §§319.11 - 319.12. Measurements, tests, and calculations shall be accurately accomplished in a representative manner.
- b. All laboratory tests submitted to demonstrate compliance with this permit must meet the requirements of 30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification.

3. Records of Results

- a. Monitoring samples and measurements shall be taken at times and in a manner so as to be representative of the monitored activity.
- b. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503), monitoring and reporting records, including strip charts and records of calibration and maintenance, copies of all records required by this permit, records of all data used to complete the application for this permit, and the certification required by 40 CFR §264.73(b)(9) shall be retained at the facility site, or shall be readily available for review by a TCEQ representative for a period of three years from the date of the record or sample, measurement, report, application or certification. This period shall be extended at the request of the Executive Director.
- c. Records of monitoring activities shall include the following:
 - i. date, time, and place of sample or measurement;
 - ii. identity of individual who collected the sample or made the measurement;
 - iii. date and time of analysis;
 - iv. identity of the individual and laboratory who performed the analysis;
 - v. the technique or method of analysis; and
 - vi. the results of the analysis or measurement and quality assurance/quality control records.

The period during which records are required to be kept shall be automatically extended to the date of the final disposition of any administrative or judicial enforcement action that may be instituted against the permittee.

4. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit using approved analytical methods as specified above, all results of such monitoring shall be included in the calculation and reporting of the values submitted on the approved self-report form. Increased frequency of sampling shall be indicated on the self-report form.

5. Calibration of Instruments

All automatic flow measuring or recording devices and all totalizing meters for measuring flows shall be accurately calibrated by a trained person at plant start-up and as often thereafter as necessary to ensure accuracy, but not less often than annually unless authorized by the Executive Director for a longer period. Such person shall verify in writing that the device is operating properly and giving accurate results. Copies of the verification shall be retained at the facility site or shall be readily available for review by a TCEQ representative for a period of three years.

6. Compliance Schedule Reports

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of the permit shall be submitted no later than 14 days following each schedule date to the regional office and the Enforcement Division (MC 224).

7. Noncompliance Notification

- a. In accordance with 30 TAC §305.125(9) any noncompliance that may endanger human health or safety, or the environment shall be reported by the permittee to the TCEQ. Report of such information shall be provided orally or by facsimile transmission (FAX) to the regional office within 24 hours of becoming aware of the noncompliance. A written submission of such information shall also be provided by the permittee to the regional office and the Enforcement Division (MC 224) within five working days of becoming aware of the noncompliance. For Publicly Owned Treatment Works (POTWs), effective September 1, 2020, the permittee must submit the written report for unauthorized discharges and unanticipated bypasses that exceed any effluent limit in the permit using the online electronic reporting system available through the TCEQ website unless the permittee requests and obtains an electronic reporting waiver. The written submission shall contain a description of the noncompliance and its cause; the potential danger to human health or safety, or the environment; the period of noncompliance, including exact dates and times; if the noncompliance has not been corrected, the time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance, and to mitigate its adverse effects.
 - b. The following violations shall be reported under Monitoring and Reporting Requirement 7.a.:
 - i. unauthorized discharges as defined in Permit Condition 2(g).
 - ii. any unanticipated bypass that exceeds any effluent limitation in the permit.
 - iii. violation of a permitted maximum daily discharge limitation for pollutants listed specifically in the Other Requirements section of an Industrial TPDES permit.
 - c. In addition to the above, any effluent violation that deviates from the permitted effluent limitation by more than 40% shall be reported by the permittee in writing to the regional office and the Enforcement Division (MC 224) within 5 working days of becoming aware of the noncompliance.
 - d. Any noncompliance other than that specified in this section, or any required information not submitted or submitted incorrectly, shall be reported to the Enforcement Division (MC 224) as promptly as possible. For effluent limitation violations, noncompliances shall be reported on the approved self-report form.
8. In accordance with the procedures described in 30 TAC §§35.301 - 35.303 (relating to Water Quality Emergency and Temporary Orders) if the permittee knows in advance of the need for a bypass, it shall submit prior notice by applying for such authorization.

9. Changes in Discharges of Toxic Substances

All existing manufacturing, commercial, mining, and silvicultural permittees shall notify the regional office, orally or by facsimile transmission within 24 hours, and both the regional office and the Enforcement Division (MC 224) in writing within five (5) working days, after becoming aware of or having reason to believe:

- a. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant listed at 40 CFR Part 122, Appendix D, Tables II and III (excluding Total Phenols) that is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - i. one hundred micrograms per liter (100 µg/L);
 - ii. two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
 - iii. five (5) times the maximum concentration value reported for that pollutant in the permit application; or
 - iv. the level established by the TCEQ.

- b. That any activity has occurred or will occur that would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant that is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - i. five hundred micrograms per liter (500 µg/L);
 - ii. one milligram per liter (1 mg/L) for antimony;
 - iii. ten (10) times the maximum concentration value reported for that pollutant in the permit application; or
 - iv. the level established by the TCEQ.

10. Signatories to Reports

All reports and other information requested by the Executive Director shall be signed by the person and in the manner required by 30 TAC §305.128 (relating to Signatories to Reports).

11. All POTWs must provide adequate notice to the Executive Director of the following:

- a. any new introduction of pollutants into the POTW from an indirect discharger that would be subject to CWA §301 or §306 if it were directly discharging those pollutants;
- b. any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit; and
- c. for the purpose of this paragraph, adequate notice shall include information on:
 - i. the quality and quantity of effluent introduced into the POTW; and
 - ii. any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

PERMIT CONDITIONS

1. General

- a. When the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in an application or in any report to the Executive Director, it shall promptly submit such facts or information.
- b. This permit is granted on the basis of the information supplied and representations made by the permittee during action on an application, and relying upon the accuracy and completeness of that information and those representations. After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked, in whole or in part, in accordance with 30 TAC Chapter 305, Subchapter D, during its term for good cause including, but not limited to, the following:
 - i. violation of any terms or conditions of this permit;
 - ii. obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
 - iii. a change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.
- c. The permittee shall furnish to the Executive Director, upon request and within a reasonable time, any information to determine whether cause exists for amending, revoking, suspending, or terminating the permit. The permittee shall also furnish to the Executive Director, upon request, copies of records required to be kept by the permit.

2. Compliance

- a. Acceptance of the permit by the person to whom it is issued constitutes acknowledgment and agreement that such person will comply with all the terms and conditions embodied in the permit, and the rules and other orders of the Commission.
- b. The permittee has a duty to comply with all conditions of the permit. Failure to comply with any permit condition constitutes a violation of the permit and the Texas Water Code or the Texas Health and Safety Code, and is grounds for enforcement action, for permit amendment,

revocation, or suspension, or for denial of a permit renewal application or an application for a permit for another facility.

- c. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.
- d. The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment.
- e. Authorization from the Commission is required before beginning any change in the permitted facility or activity that may result in noncompliance with any permit requirements.
- f. A permit may be amended, suspended and reissued, or revoked for cause in accordance with 30 TAC §§305.62 and 305.66 and TWC §7.302. The filing of a request by the permittee for a permit amendment, suspension and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- g. There shall be no unauthorized discharge of wastewater or any other waste. For the purpose of this permit, an unauthorized discharge is considered to be any discharge of wastewater into or adjacent to water in the state at any location not permitted as an outfall or otherwise defined in the Other Requirements section of this permit.
- h. In accordance with 30 TAC §305.535(a), the permittee may allow any bypass to occur from a TPDES permitted facility that does not cause permitted effluent limitations to be exceeded or an unauthorized discharge to occur, but only if the bypass is also for essential maintenance to assure efficient operation.
- i. The permittee is subject to administrative, civil, and criminal penalties, as applicable, under Texas Water Code §§7.051 - 7.075 (relating to Administrative Penalties), 7.101 - 7.111 (relating to Civil Penalties), and 7.141 - 7.202 (relating to Criminal Offenses and Penalties) for violations including, but not limited to, negligently or knowingly violating the federal CWA §§301, 302, 306, 307, 308, 318, or 405, or any condition or limitation implementing any sections in a permit issued under the CWA §402, or any requirement imposed in a pretreatment program approved under the CWA §§402(a)(3) or 402(b)(8).

3. Inspections and Entry

- a. Inspection and entry shall be allowed as prescribed in the TWC Chapters 26, 27, and 28, and THSC Chapter 361.
- b. The members of the Commission and employees and agents of the Commission are entitled to enter any public or private property at any reasonable time for the purpose of inspecting and investigating conditions relating to the quality of water in the state or the compliance with any rule, regulation, permit, or other order of the Commission. Members, employees, or agents of the Commission and Commission contractors are entitled to enter public or private property at any reasonable time to investigate or monitor or, if the responsible party is not responsive or there is an immediate danger to public health or the environment, to remove or remediate a condition related to the quality of water in the state. Members, employees, Commission contractors, or agents acting under this authority who enter private property shall observe the establishment's rules and regulations concerning safety, internal security, and fire protection, and if the property has management in residence, shall notify management or the person then in charge of his presence and shall exhibit proper credentials. If any member, employee, Commission contractor, or agent is refused the right to enter in or on public or private property under this authority, the Executive Director may invoke the remedies authorized in TWC §7.002. The statement above, that Commission entry shall occur in accordance with an establishment's rules and regulations concerning safety, internal security, and fire protection, is not grounds for denial or restriction of entry to any part of the facility, but merely describes the Commission's duty to observe appropriate rules and regulations during an inspection.

4. Permit Amendment or Renewal

- a. The permittee shall give notice to the Executive Director as soon as possible of any planned physical alterations or additions to the permitted facility if such alterations or additions would require a permit amendment or result in a violation of permit requirements. Notice shall also be required under this paragraph when:
 - i. the alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in accordance with 30 TAC §305.534 (relating to New Sources and New Dischargers); or
 - ii. the alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations in the permit, nor to notification requirements in Monitoring and Reporting Requirements No. 9; or
 - iii. the alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
- b. Prior to any facility modifications, additions, or expansions that will increase the plant capacity beyond the permitted flow, the permittee must apply for and obtain proper authorization from the Commission before commencing construction.
- c. The permittee must apply for an amendment or renewal at least 180 days prior to expiration of the existing permit in order to continue a permitted activity after the expiration date of the permit. If an application is submitted prior to the expiration date of the permit, the existing permit shall remain in effect until the application is approved, denied, or returned. If the application is returned or denied, authorization to continue such activity shall terminate upon the effective date of the action. If an application is not submitted prior to the expiration date of the permit, the permit shall expire and authorization to continue such activity shall terminate.
- d. Prior to accepting or generating wastes that are not described in the permit application or that would result in a significant change in the quantity or quality of the existing discharge, the permittee must report the proposed changes to the Commission. The permittee must apply for a permit amendment reflecting any necessary changes in permit conditions, including effluent limitations for pollutants not identified and limited by this permit.
- e. In accordance with the TWC §26.029(b), after a public hearing, notice of which shall be given to the permittee, the Commission may require the permittee, from time to time, for good cause, in accordance with applicable laws, to conform to new or additional conditions.
- f. If any toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under CWA §307(a) for a toxic pollutant that is present in the discharge and that standard or prohibition is more stringent than any limitation on the pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition. The permittee shall comply with effluent standards or prohibitions established under CWA §307(a) for toxic pollutants within the time provided in the regulations that established those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

5. Permit Transfer

- a. Prior to any transfer of this permit, Commission approval must be obtained. The Commission shall be notified in writing of any change in control or ownership of facilities authorized by this permit. Such notification should be sent to the Applications Review and Processing Team (MC 148) of the Water Quality Division.
- b. A permit may be transferred only according to the provisions of 30 TAC §305.64 (relating to Transfer of Permits) and 30 TAC §50.133 (relating to Executive Director Action on Application or WQMP update).

6. Relationship to Hazardous Waste Activities

This permit does not authorize any activity of hazardous waste storage, processing, or disposal that requires a permit or other authorization pursuant to the Texas Health and Safety Code.

7. Relationship to Water Rights

Disposal of treated effluent by any means other than discharge directly to water in the state must be specifically authorized in this permit and may require a permit pursuant to Texas Water Code Chapter 11.

8. Property Rights

A permit does not convey any property rights of any sort, or any exclusive privilege.

9. Permit Enforceability

The conditions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

10. Relationship to Permit Application

The application pursuant to which the permit has been issued is incorporated herein; provided, however, that in the event of a conflict between the provisions of this permit and the application, the provisions of the permit shall control.

11. Notice of Bankruptcy.

- a. Each permittee shall notify the Executive Director, in writing, immediately following the filing of a voluntary or involuntary petition for bankruptcy under any chapter of Title 11 (Bankruptcy) of the United States Code (11 USC) by or against:
 - i. the permittee;
 - ii. an entity (as that term is defined in 11 USC, §101(15)) controlling the permittee or listing the permit or permittee as property of the estate; or
 - iii. an affiliate (as that term is defined in 11 USC, §101(2)) of the permittee.
- b. This notification must indicate:
 - i. the name of the permittee;
 - ii. the permit number(s);
 - iii. the bankruptcy court in which the petition for bankruptcy was filed; and
 - iv. the date of filing of the petition.

OPERATIONAL REQUIREMENTS

1. The permittee shall at all times ensure that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. This includes, but is not limited to, the regular, periodic examination of wastewater solids within the treatment plant by the operator in order to maintain an appropriate quantity and quality of solids inventory as described in the various operator training manuals and according to accepted industry standards for process control. Process control, maintenance, and operations records shall be retained at the facility site, or shall be readily available for review by a TCEQ representative, for a period of three years.
2. Upon request by the Executive Director, the permittee shall take appropriate samples and provide proper analysis in order to demonstrate compliance with Commission rules. Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall comply with all applicable provisions of 30 TAC Chapter 312 concerning sewage sludge use and disposal and 30 TAC §§319.21 - 319.29 concerning the discharge of certain hazardous metals.

3. Domestic wastewater treatment facilities shall comply with the following provisions:
 - a. The permittee shall notify the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, in writing, of any facility expansion at least 90 days prior to conducting such activity.
 - b. The permittee shall submit a closure plan for review and approval to the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, for any closure activity at least 90 days prior to conducting such activity. Closure is the act of permanently taking a waste management unit or treatment facility out of service and includes the permanent removal from service of any pit, tank, pond, lagoon, surface impoundment or other treatment unit regulated by this permit.
4. The permittee is responsible for installing prior to plant start-up, and subsequently maintaining, adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures by means of alternate power sources, standby generators, or retention of inadequately treated wastewater.
5. Unless otherwise specified, the permittee shall provide a readily accessible sampling point and, where applicable, an effluent flow measuring device or other acceptable means by which effluent flow may be determined.
6. The permittee shall remit an annual water quality fee to the Commission as required by 30 TAC Chapter 21. Failure to pay the fee may result in revocation of this permit under TWC §7.302(b)(6).
7. Documentation

For all written notifications to the Commission required of the permittee by this permit, the permittee shall keep and make available a copy of each such notification under the same conditions as self-monitoring data are required to be kept and made available. Except for information required for TPDES permit applications, effluent data, including effluent data in permits, draft permits and permit applications, and other information specified as not confidential in 30 TAC §1.5(d), any information submitted pursuant to this permit may be claimed as confidential by the submitter. Any such claim must be asserted in the manner prescribed in the application form or by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, information may be made available to the public without further notice. If the Commission or Executive Director agrees with the designation of confidentiality, the TCEQ will not provide the information for public inspection unless required by the Texas Attorney General or a court pursuant to an open records request. If the Executive Director does not agree with the designation of confidentiality, the person submitting the information will be notified.

8. Facilities that generate domestic wastewater shall comply with the following provisions; domestic wastewater treatment facilities at permitted industrial sites are excluded.
 - a. Whenever flow measurements for any domestic sewage treatment facility reach 75% of the permitted daily average or annual average flow for three consecutive months, the permittee must initiate engineering and financial planning for expansion or upgrading of the domestic wastewater treatment or collection facilities. Whenever the flow reaches 90% of the permitted daily average or annual average flow for three consecutive months, the permittee shall obtain necessary authorization from the Commission to commence construction of the necessary additional treatment or collection facilities. In the case of a domestic wastewater treatment facility that reaches 75% of the permitted daily average or annual average flow for three consecutive months, and the planned population to be served or the quantity of waste produced is not expected to exceed the design limitations of the treatment facility, the permittee shall submit an engineering report supporting this claim to the Executive Director of the Commission.

If in the judgment of the Executive Director the population to be served will not cause permit noncompliance, then the requirement of this section may be waived. To be effective, any waiver must be in writing and signed by the Director of the Enforcement Division (MC 219) of the Commission, and such waiver of these requirements will be reviewed upon expiration of the existing permit; however, any such waiver shall not be interpreted as condoning or excusing any violation of any permit parameter.

- b. The plans and specifications for domestic sewage collection and treatment works associated with any domestic permit must be approved by the Commission, and failure to secure approval before commencing construction of such works or making a discharge is a violation of this permit and each day is an additional violation until approval has been secured.
 - c. Permits for domestic wastewater treatment plants are granted subject to the policy of the Commission to encourage the development of area-wide waste collection, treatment, and disposal systems. The Commission reserves the right to amend any domestic wastewater permit in accordance with applicable procedural requirements to require the system covered by this permit to be integrated into an area-wide system, should such be developed; to require the delivery of the wastes authorized to be collected in, treated by or discharged from said system, to such area-wide system; or to amend this permit in any other particular to effectuate the Commission's policy. Such amendments may be made when the changes required are advisable for water quality control purposes and are feasible on the basis of waste treatment technology, engineering, financial, and related considerations existing at the time the changes are required, exclusive of the loss of investment in or revenues from any then existing or proposed waste collection, treatment or disposal system.
9. Domestic wastewater treatment plants shall be operated and maintained by sewage plant operators holding a valid certificate of competency at the required level as defined in 30 TAC Chapter 30.
 10. For Publicly Owned Treatment Works (POTWs), the 30-day average (or monthly average) percent removal for BOD and TSS shall not be less than 85%, unless otherwise authorized by this permit.
 11. Facilities that generate industrial solid waste as defined in 30 TAC §335.1 shall comply with these provisions:
 - a. Any solid waste, as defined in 30 TAC §335.1 (including but not limited to such wastes as garbage, refuse, sludge from a waste treatment, water supply treatment plant or air pollution control facility, discarded materials, discarded materials to be recycled, whether the waste is solid, liquid, or semisolid), generated by the permittee during the management and treatment of wastewater, must be managed in accordance with all applicable provisions of 30 TAC Chapter 335, relating to Industrial Solid Waste Management.
 - b. Industrial wastewater that is being collected, accumulated, stored, or processed before discharge through any final discharge outfall, specified by this permit, is considered to be industrial solid waste until the wastewater passes through the actual point source discharge and must be managed in accordance with all applicable provisions of 30 TAC Chapter 335.
 - c. The permittee shall provide written notification, pursuant to the requirements of 30 TAC §335.8(b)(1), to the Corrective Action Section (MC 127) of the Remediation Division informing the Commission of any closure activity involving an Industrial Solid Waste Management Unit, at least 90 days prior to conducting such an activity.
 - d. Construction of any industrial solid waste management unit requires the prior written notification of the proposed activity to the Registration and Reporting Section (MC 129) of the Permitting and Remediation Support Division. No person shall dispose of industrial solid waste, including sludge or other solids from wastewater treatment processes, prior to fulfilling the deed recordation requirements of 30 TAC §335.5.
 - e. The term "industrial solid waste management unit" means a landfill, surface impoundment, waste-pile, industrial furnace, incinerator, cement kiln, injection well, container, drum, salt dome waste containment cavern, or any other structure vessel, appurtenance, or other improvement on land used to manage industrial solid waste.
 - f. The permittee shall keep management records for all sludge (or other waste) removed from any wastewater treatment process. These records shall fulfill all applicable requirements of 30 TAC Chapter 335 and must include the following, as it pertains to wastewater treatment and discharge:
 - i. volume of waste and date(s) generated from treatment process;
 - ii. volume of waste disposed of on-site or shipped off-site;
 - iii. date(s) of disposal;

- iv. identity of hauler or transporter;
- v. location of disposal site; and
- vi. method of final disposal.

The above records shall be maintained on a monthly basis. The records shall be retained at the facility site, or shall be readily available for review by authorized representatives of the TCEQ for at least five years.

12. For industrial facilities to which the requirements of 30 TAC Chapter 335 do not apply, sludge and solid wastes, including tank cleaning and contaminated solids for disposal, shall be disposed of in accordance with THSC Code Chapter 361.

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OTHER REQUIREMENTS

1. The Executive Director reviewed this action for consistency with the goals and policies of the Texas Coastal Management Program (CMP) in accordance with the regulations of the General Land Office and determined that the action is consistent with the applicable CMP goals and policies.
2. Violations of daily maximum limitations for the following pollutants shall be reported orally or by facsimile to TCEQ Region 14 within 24 hours from the time the permittee becomes aware of the violation, followed by a written report within five working days to TCEQ Region 14 and Compliance Monitoring Team (MC 224):

Pollutant	MAL ¹(mg/L)
Copper (Total)	0.002
Cyanide (Free or Available)	0.016 ²
Selenium (Total)	0.005
Zinc (Total)	0.005

Test methods used must be sensitive enough to demonstrate compliance with the permit effluent limitations. If an effluent limit for a pollutant is less than the minimum analytical level (MAL), then the test method for that pollutant must be sensitive enough to demonstrate compliance at the MAL. Permit compliance/noncompliance determinations will be based on the effluent limitations contained in this permit, with consideration given to the MAL for the pollutants specified above.

When an analysis of an effluent sample for a pollutant listed above indicates no detectable levels above the MAL and the test method detection level is as sensitive as the specified MAL, a value of zero shall be used for that measurement when making calculations for the self-reporting form. This applies to determinations of daily maximum concentration, calculations of loading and daily averages, and other reportable results.

When a reported value is zero based on this MAL provision, the permittee shall submit the following statement with the self-reporting form either as a separate attachment to the form or as a statement in the comments section of the form:

“The reported value(s) of zero for [list pollutant(s)] on the self-reporting form for [monitoring period date range] is based on the following conditions: (1) the analytical method used had a method detection level as sensitive as the MAL specified in the permit, and (2) the analytical results contained no detectable levels above the specified MAL.”

When an analysis of an effluent sample for a pollutant indicates no detectable levels and the test method detection level is not as sensitive as the MAL specified in the permit, or an MAL is not specified in the permit for that pollutant, the level of detection achieved shall be used for that measurement when making calculations for the self-reporting form. A zero may not be used.

The permittee may develop effluent-specific or matrix-specific MALs in accordance with Appendix B of 40 CFR Part 136. For any pollutant for which the permittee develops an effluent-specific or matrix-specific MAL, the permittee shall submit to the TCEQ Industrial Permits Team (MC-148) of the Wastewater Permitting Section a report containing QA/QC documentation, analytical results, and calculations necessary to support the requested effluent-specific or matrix-specific MAL. An effluent-specific or a matrix-specific MAL shall be determined in accordance with the following equation: **MAL = 3.3 × method detection limit (MDL).**

¹ Minimum analytical level.

² Site-specific MAL approved on October 31, 2023, for Outfall 001 Interim Phase. The permittee must submit verification in accordance with 40 CFR Part 136 on annual basis by September 30 of each year.

Upon written approval by the Wastewater Permitting Section of the TCEQ, an approved effluent-specific MAL will supersede the MAL listed above as the level of demonstrated compliance.

3. Metal-based corrosion inhibitors containing zinc or chromium shall not be discharged from the cooling water system.
4. Mixing Zones

Outfall 001 Interim Phase

There is no mixing zone established for this discharge to an intermittent stream. Acute toxic criteria apply at the point of discharge. The site-specific effluent flow percentage of 23% for chronic aquatic life has been approved for this permit

Outfall 001 Final Phase

The percentage of effluent at the edge of the zone of initial dilution (ZID) is 3.4%. The ZID is defined as 60 feet downstream and 20 feet upstream from the point of discharge. Acute toxic criteria apply at the point of discharge.

Outfall 002

The chronic aquatic life mixing zone is defined as a volume within a radius of 200 feet from the point of discharge. Chronic toxic criteria apply at the edge of the chronic aquatic life mixing zone.

5. This permit does not authorize the discharge of domestic wastewater. All domestic wastewater must be disposed of in an approved manner, such as routing to an approved on-site septic tank and drainfield system or to an authorized third party for treatment and disposal.
6. DRY-WEATHER FLOW

The permittee shall continuously record flow via a flow meter at Outfall 001 (Interim Phase) and Outfall 002. Compliance with the flow limitations established at Outfall 001 (Interim Phase) and Outfall 002 on pages 2 and 2c of this permit shall be based upon days in which there is dry-weather flow only. For the purpose of this permit, dry-weather flow is defined as days in which the total flow at either Outfall 001 (Interim Phase) or Outfall 002 consists of any of the following sources: treated process wastewater, utility wastewater, water treatment wastes, and stormwater runoff resulting from rainfall less than 0.1 inches in a 24-hour period. The permittee shall install a permanent rain gage at the plant site and keep daily records of the rainfall and the resulting flow at Outfall 001 (Interim Phase) and Outfall 002. Flow at Outfall 001 (Interim Phase) or Outfall 002 during days when the rainfall exceeds 0.1 inches during a 24-hour period shall not be used in calculating the daily average flow or daily maximum flow, or mass-based effluent limitations, to be submitted on the monthly effluent report forms.

7. POND REQUIREMENTS

A wastewater pond must comply with the following requirements. A wastewater pond (or lagoon) is an earthen structure used to evaporate, hold, store, or treat water that contains a *waste* or *pollutant* or that would cause *pollution* upon *discharge* as those terms are defined in Texas Water Code §26.001, but does not include a pond that contains only stormwater.

- A. N/A.
- B. An **existing** wastewater pond must be maintained to meet or exceed the original approved design and liner requirements; or, in the absence of original approved requirements, must be maintained to prevent unauthorized discharges of wastewater into or adjacent to water in the

state. The permittee shall maintain copies of all liner construction and testing documents at the facility or in a reasonably accessible location and make the information available to the executive director upon request.

- C. A **new** wastewater pond constructed after the issuance date of this permit must be lined in compliance with one of the following requirements if it will contain process wastewater as defined in 40 CFR §122.2. The executive director will review ponds that will contain only non-process wastewater on a case-by-case basis to determine whether the pond must be lined. If a pond will contain only non-process wastewater, the owner shall notify the Industrial Permits Team (MC-148) to obtain a written determination at least 90 days before the pond is placed into service and copy the TCEQ Compliance Monitoring Team (MC-224). The permittee must submit all information about the proposed pond contents that is reasonably necessary for the executive director to make a determination. If the executive director determines that a pond does not need to be lined, then the pond is exempt from C(1) through C(3) and D through G of POND REQUIREMENTS.

A wastewater pond that only contains domestic wastewater must comply with the design requirements in 30 TAC Chapter 217 and 30 TAC §309.13(d) in lieu of items C(1) through C(3) of this subparagraph.

- (1) Soil liner: The soil liner must contain clay-rich soil material (at least 30% of the liner material passing through a #200 mesh sieve, liquid limit greater than or equal to 30, and plasticity index greater than or equal to 15) that completely covers the sides and bottom of the pond. The liner must be at least 3.0 feet thick. The liner material must be compacted in lifts of no more than 8 inches to 95% standard proctor density at the optimum moisture content in accordance with ASTM D698 to achieve a permeability less than or equal to 1×10^{-7} (≤ 0.0000001) cm/sec. For in-situ soil material that meets the permeability requirement, the material must be scarified at least 8 inches deep and then re-compacted to finished grade.
 - (2) Synthetic membrane: The liner must be a synthetic membrane liner at least 40 mils in thickness that completely covers the sides and the bottom of the pond. The liner material used must be compatible with the wastewater and be resistant to degradation (e.g., from ultraviolet light, chemical reactions, wave action, erosion, etc.). The liner material must be installed and maintained in accordance with the manufacturer's guidelines. A wastewater pond with a synthetic membrane liner must include an underdrain with a leak detection and collection system.
 - (3) Alternate liner: The permittee shall submit plans signed and sealed by a Texas-licensed professional engineer for any other equivalently protective pond lining method to the Industrial Permits Team (MC-148) and copy the Compliance Monitoring Team (MC-224).
- D. For a pond that must be lined according to subparagraph C (including ponds with in-situ soil liners), the permittee shall provide certification, signed and sealed by a Texas-licensed professional engineer, stating that the completed pond lining and any required underdrain with leak detection and collection system for the pond meet the requirements in subparagraph C(1) – C(3) before using the pond. The certification shall include the following minimum details about the pond lining system: (1) pond liner type (in-situ soil, amended in-situ soil, imported soil, synthetic membrane, or alternative), (2) materials used, (3) thickness of materials, and (4) either permeability test results or a leak detection and collection system description, as applicable.

The certification must be provided to the TCEQ Water Quality Assessment Team (MC-150), Industrial Permits Team (MC-148), Compliance Monitoring Team (MC-224) and regional office. A copy of the liner certification and construction details (i.e., as-built drawings, construction

QA/QC documentation, and post construction testing) must be kept on-site or in a reasonably accessible location (in either hardcopy or digital format) until the pond is closed.

- E. Protection and maintenance requirements for a pond subject to subparagraph B or C (including ponds with in-situ soil liners).
- (1) The permittee shall maintain a liner to prevent the unauthorized discharge of wastewater into or adjacent to water in the state.
 - (2) A liner must be protected from damage caused by animals. Fences or other protective devices or measures may be used to satisfy this requirement.
 - (3) The permittee shall maintain the structural integrity of the liner and shall keep the liner and embankment free of woody vegetation, animal burrows, and excessive erosion.
 - (4) The permittee shall inspect each pond liner and each leak detection system at least once per month. Evidence of damage or unauthorized discharge must be evaluated by a Texas-licensed professional engineer or Texas-licensed professional geoscientist within 30 days. The permittee is not required to drain an operating pond or to inspect below the waterline during these routine inspections.
 - a. A Texas-licensed professional engineer or Texas-licensed professional geoscientist must evaluate damage to a pond liner, including evidence of an unauthorized discharge without visible damage.
 - b. Pond liner damage must be repaired at the recommendation of a Texas-licensed professional engineer or Texas-licensed professional geoscientist. If the damage is significant or could result in an unauthorized discharge, then the repair must be documented and certified by a Texas-licensed professional engineer. Within 60 days after a repair is completed, the liner certification must be provided to the TCEQ Water Quality Assessment Team (MC-150), Compliance Monitoring Section (MC-224), and regional office. A copy of the liner certification must be maintained at the facility or in a reasonably accessible location and made available to the executive director upon request.
 - c. A release determination and subsequent corrective action will be based on 40 CFR Part 257 or the Texas Risk Reduction Program (30 TAC Chapter 350), as applicable. If evidence indicates that an unauthorized discharge occurred, including evidence that the actual permeability exceeds the design permeability, the matter may also be referred to the TCEQ Enforcement Division to ensure the protection of the public and the environment.
- F. For a pond subject to subparagraph B or C (including ponds with in-situ soil liners), the permittee shall have a Texas-licensed professional engineer perform an evaluation of each pond that requires a liner at least once every five years. The evaluation must include: (1) a physical inspection of the pond liner to check for structural integrity, damage, and evidence of leaking; (2) a review of the liner documentation for the pond; and (3) a review of all documentation related to liner repair and maintenance performed since the last evaluation. For the purposes of this evaluation, evidence of leaking also includes evidence that the actual permeability exceeds the design permeability. The permittee is not required to drain an operating pond or to inspect below the waterline during the evaluation. A copy of the engineer's evaluation report must be maintained at the facility or in a reasonably accessible location and made available to the executive director upon request.

- G. For a pond subject to subparagraph B or C (including ponds with in-situ soil liners), the permittee shall maintain at least 2.0 feet of freeboard in the pond except when:
- (1) the freeboard requirement temporarily cannot be maintained due to a large storm event that requires the additional retention capacity to be used for a limited period of time;
 - (2) the freeboard requirement temporarily cannot be maintained due to upset plant conditions that require the additional retention capacity to be used for treatment for a limited period of time; or
 - (3) the pond was not required to have at least 2.0 feet of freeboard according to the requirements at the time of construction.

8. STORMWATER BEST MANAGEMENT PRACTICES

- A. The permittee must continue to implement a stormwater pollution prevention plan (SWP3) that includes a set of best management practices (BMPs) to eliminate or lessen the exposure of stormwater to industrial activities and pollutants. The SWP3 must be maintained on site and be made readily available for review by authorized TCEQ personnel. The SWP3 must contain elements, or sections, to require implementation of the following activities:
- (1) Good Housekeeping Measures - Activities must be defined and implemented to ensure areas of the facility that either contribute or potentially contribute pollutants to stormwater discharges (e.g. Waste Processing and Drum Storage Unit, unloading dock areas, Waste Confirmation Unit, and truck tire wash areas) are maintained and operated in a clean and orderly manner. The frequency for conducting each of the good housekeeping measures must be defined in the SWP3.
 - (2) Spill Prevention and Response Measures - Areas must be identified where spills would likely contribute pollutants to stormwater discharges. Procedures must be identified and implemented to minimize or prevent contamination of stormwater from spills. Spill cleanup techniques must be identified and the necessary materials and equipment for cleanup made available to facility personnel. Facility personnel that work in the identified areas must be trained in spill prevention and response measures at a minimum frequency of once per year. A record of employee training shall be maintained on a minimum frequency of once per year, maintained on site, and be made readily available for inspection by authorized TCEQ personnel upon request.
 - (3) Maintenance Program for Stormwater Control Structures - A maintenance program must be developed and implemented to maintain the effectiveness of stormwater structural controls, including but not limited to the stormwater sedimentation/detention basin and the potentially contaminated stormwater basins. The SWP3 must identify specific activities, techniques, and schedules for maintenance of stormwater structural controls that ensure continued effective operation of these controls. Maintenance activities must be recorded at a minimum frequency of once per quarter, maintained on site, and be made readily available for inspection by authorized TCEQ personnel upon request.

The SWP3 may be modified at any time in order to implement either additional or more effective pollution control measures. A summary of revisions, including the dates of the revisions, shall be maintained on a quarterly basis, maintained as a part of the SWP3 document, and made readily available for inspection by authorized TCEQ personnel upon request.

- B. Qualified personnel, who are familiar with the industrial activities performed at the facility, must conduct monthly inspections to determine the effectiveness of the Good Housekeeping Measures, Spill Prevention and Response Measures, Maintenance Program for Structural Controls, Best Management Practices, and the Employee Training Program. The results of inspections must be documented in an inspection summary report; include an assessment for any necessary revisions or additional measures to increase effectiveness of the SWP3; and include a time-frame for implementation of any follow-up actions. The summary report must be maintained on site and be made readily available for inspection by authorized TCEQ personnel upon request.

9. COOLING WATER INTAKE STRUCTURE

The permittee shall provide written notification to the TCEQ Industrial Permits Team (MC 148), Enforcement Division (MC-224), and the Region 14 Office of any change in the method by which the facility obtains water for cooling purposes. This notification must be submitted 30 days prior to any such change and must include a description of the planned changes. The TCEQ may, upon review of the notification, reopen the permit to include additional terms and conditions as necessary.

10. Any analytical method for free cyanide or available cyanide that is approved in 40 CFR Part 136 may be used.

11. DEFINITIONS

The term *water treatment waste* includes but is not limited to cold lime water treatment wastes, demineralizer backwash, filter backwash, ion exchange water treatment system wastes, membrane regeneration wastes, and reverse osmosis reject water.

For the purposes of this permit, the term *utility wastewater* includes but is not limited to cooling water blowdown, boiler blowdown, hydrostatic test water, passivation wastewater, and wastewaters of equivalent composition generated by utility operations.

12. Reporting requirements according to 30 TAC §§ 319.1-319.12 and any additional effluent reporting requirements contained in Outfall 001 (Final Phase) and Outfall 002 of the permit are suspended from the effective date of the permit until initial discharge from the respective outfall. The permittee shall provide written notice to the TCEQ Region 14 Office, Applications Review and Processing Team (MC 148) of the Water Quality Division, and Enforcement Division (MC 224) at least forty-five days prior to anticipated discharge on Notification of Completion Form 20007.
13. Wastewater discharged via Outfall 001 Final Phase must be sampled and analyzed as directed below for those parameters listed in Tables 1, 2, and 3 of Attachment A of this permit. Analytical testing for Outfall 001 Final Phase must be completed within 60 days of initial discharge. Results of the analytical testing must be submitted within 90 days of initial discharge to the TCEQ Enforcement Division (MC-224) and Industrial Wastewater Permits Team (MC-148). Based on a technical review of the submitted analytical results, an amendment may be initiated by TCEQ staff to include additional effluent limitations, monitoring requirements, or both.

Table 1: Analysis is required for all pollutants in Table 1. Wastewater must be sampled and analyzed for those parameters listed in Table 1 for a minimum of one sampling event.

Table 2: Analysis is required for those pollutants in Table 2 that are used at the facility that could in any way contribute to contamination in the Final Phase Outfall 001 discharge. Sampling and analysis must be conducted for a minimum of one sampling event.

Table 3: For all pollutants listed in Table 3, the permittee shall indicate whether each pollutant is believed to be present or absent in the discharge. Sampling and analysis must be conducted for each pollutant believed present for a minimum of one sampling event.

The permittee shall report the flow at Outfall 001 Final Phase in MGD in the attachment. The permittee shall indicate on each table whether the samples are composite (C) or grab (G) by checking the appropriate box.

14. Discharge from Outfall 001 Final Phase is allowed only in events when precipitation exceeds 2.5 inches during any 24-hour period. The permittee shall install and maintain a permanent rain gage at the plant site, keep daily rainfall records and submit such in the monthly effluent report forms.
15. The permit prohibits the discharge of process wastewater from the HEP Javelina SMR, LLC (previous Air Products) operations (subject to 40 CFR Part 415, Subpart AO - Hydrogen Production).
16. The permit acknowledges the discharge of third-party wastes from HEP Javelina SMR, LLB (previous Air Products) and Infinium Project LLC without authorizing the acceptance. If authorization for accepting third-party wastes is required, the permittee must obtain prior approval from TCEQ.

Attachment A

Table 1

Outfall No.:	<input type="checkbox"/> C <input type="checkbox"/> G	Effluent Concentration (mg/L)					
Pollutant		Sample 1	Sample 2	Sample 3	Sample 4	Average	
Flow (MGD)							
BOD (5-day)							
CBOD (5-day)							
Chemical Oxygen Demand							
Total Organic Carbon							
Dissolved Oxygen							
Ammonia Nitrogen							
Total Suspended Solids							
Nitrate Nitrogen							
Total Organic Nitrogen							
Total Phosphorus							
Oil and Grease							
Total Residual Chlorine							
Total Dissolved Solids							
Sulfate							
Chloride							
Fluoride							
Total Alkalinity (mg/L as CaCO ₃)							
Temperature (°F)							
pH (Standard Units; min/max)							
Outfall No.:	<input type="checkbox"/> C <input type="checkbox"/> G	Effluent Concentration (µg/L) ³					MAL ⁴ (µg/L)
Pollutant		Sample 1	Sample 2	Sample 3	Sample 4	Average	
Aluminum, Total							2.5
Antimony, Total							5
Arsenic, Total							0.5
Barium, Total							3
Beryllium, Total							0.5
Cadmium, Total							1
Chromium, Total							3
Chromium, Hexavalent							3
Chromium, Trivalent							N/A
Copper, Total							2
Cyanide, Free							10
Lead, Total							0.5
Mercury, Total							0.005

³ Indicate units if different than µg/L.

⁴ Minimum Analytical Level

Nickel, Total						2
Selenium, Total						5
Silver, Total						0.5
Thallium, Total						0.5
Zinc, Total						5.0

Table 2

Outfall No.:	<input type="checkbox"/> C <input type="checkbox"/> G	Effluent Concentration (µg/L) ⁵					MAL (µg/L)
		Sample 1	Sample 2	Sample 3	Sample 4	Avg.	
Pollutant							
Acrolein							0.7
Acrylonitrile							50
Anthracene							10
Benzene							10
Benzidine							50
Benzo(a)anthracene							5
Benzo(a)pyrene							5
Bis(2-chloroethyl)ether							10
Bis(2-ethylhexyl) phthalate							10
Bromodichloromethane							10
Bromoform							10
Carbon Tetrachloride							2
Chlorobenzene							10
Chlorodibromomethane							10
Chloroform							10
Chrysene							5
Cresols							10
1,2-Dibromoethane							10
<i>m</i> -Dichlorobenzene							10
<i>o</i> -Dichlorobenzene							10
<i>p</i> -Dichlorobenzene							10
3,3'-Dichlorobenzidine							5
1,2-Dichloroethane							10
1,1-Dichloroethylene							10
Dichloromethane							20
1,2-Dichloropropane							10
2,4-Dimethylphenol							10
Di- <i>n</i> -Butyl Phthalate							10
Epichlorohydrin							1,000
Ethylbenzene							10
Ethylene Glycol							—
Fluoride							500

⁵ Indicate units if different than µg/L.

Outfall No.:	<input type="checkbox"/> C <input type="checkbox"/> G	Effluent Concentration ($\mu\text{g/L}$) ⁵					MAL ($\mu\text{g/L}$)
		Sample 1	Sample 2	Sample 3	Sample 4	Avg.	
Pollutant							
Hexachlorobenzene							5
Hexachlorobutadiene							10
Hexachlorocyclopentadiene							10
Hexachloroethane							20
4,4'-Isopropylidenediphenol [bisphenol A]							—
Methyl Ethyl Ketone							50
Methyl <i>tert</i> -butyl ether [MTBE]							—
Nitrobenzene							10
<i>N</i> -Nitrosodiethylamine							20
<i>N</i> -Nitroso- <i>di-n</i> -Butylamine							20
Nonylphenol							333
Pentachlorobenzene							20
Pentachlorophenol							5
Phenanthrene							10
Polychlorinated Biphenyls (PCBs) ⁶							0.2
Pyridine							20
1,2,4,5-Tetrachlorobenzene							20
1,1,2,2-Tetrachloroethane							10
Tetrachloroethylene							10
Toluene							10
1,1,1-Trichloroethane							10
1,1,2-Trichloroethane							10
Trichloroethylene							10
2,4,5-Trichlorophenol							50
TTHM (Total Trihalomethanes)							10
Vinyl Chloride							10

⁶ Total of detects for PCB-1242, PCB-1254, PCB-1221, PCB-1232, PCB-1248, PCB-1260, PCB-1016. If all values are non-detects, enter the highest non-detect preceded by a "<" symbol.

Table 3

Outfall No.	<input type="checkbox"/> C <input type="checkbox"/> G	Believed Present	Believed Absent	Average Concentration (mg/L)	Maximum Concentration (mg/L)	No. of Samples	MAL (mg/L)
Pollutant							
							0.400
							—
							—
							—
							—
							—
							0.020
							0.0003
							0.007
							0.020
							0.0005
							0.001
							0.005
							0.030

CHRONIC BIOMONITORING REQUIREMENTS: MARINE

The provisions of this section apply to Outfall 001 (until Outfall 002 begins discharging) for whole effluent toxicity (WET) testing.

1. Scope, Frequency, and Methodology

- a. The permittee shall test the effluent for toxicity in accordance with the provisions below. Such testing will determine if an appropriately dilute effluent sample adversely affects the survival or growth of the test organisms.
- b. The permittee shall conduct the following toxicity tests using the test organisms, procedures, and quality assurance requirements specified below and in accordance with "Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms," third edition (EPA-821-R-02-014) or its most recent update:
 - 1) Chronic static renewal 7-day survival and growth test using the mysid shrimp (*Americamysis bahia*) (Method 1007.0). A minimum of eight replicates with five organisms per replicate shall be used in the control and in each dilution. This test shall be conducted once per quarter.
 - 2) Chronic static renewal 7-day larval survival and growth test using the inland silverside (*Menidia beryllina*) (Method 1006.0). A minimum of five replicates with eight organisms per replicate shall be used in the control and in each dilution. This test shall be conducted once per quarter.

The permittee must perform and report a valid test for each test species during the prescribed reporting period. An invalid test must be repeated during the same reporting period. An invalid test is defined as any test failing to satisfy the test acceptability criteria, procedures, and quality assurance requirements specified in the test methods and permit.

- c. The permittee shall use five effluent dilution concentrations and a control in each toxicity test. These effluent dilution concentrations are 23%, 42%, 56%, 80%, and 100% effluent. The critical dilution, defined as 23% effluent, is the effluent concentration representative of the proportion of effluent in the receiving water during critical low flow or critical mixing conditions.
- d. The sublethal Inhibition Concentration 25 (IC25) effluent limitation of not less than 23% are effective for both test species (see the EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS section) are in effect until the treated process water is redirected to Outfall 002.
- e. If a test species fails to pass the sublethal endpoint at the 23% effluent concentration, the testing frequency will increase to monthly for that test species until such time compliance with the IC25 effluent limitation is demonstrated for a period of three consecutive months, at which time the quarterly testing frequency may be resumed.

2. Required Toxicity Testing Conditions

- a. Test Acceptance - The permittee shall repeat any toxicity test, including the control and all effluent dilutions, which fails to meet any of the following criteria:

- 1) a control mean survival of 80% or greater;
- 2) a control mean dry weight of surviving mysid shrimp of 0.20 mg or greater;
- 3) a control mean dry weight for surviving unpreserved inland silverside of 0.50 mg or greater and 0.43 mg or greater for surviving preserved inland silverside.
- 4) a control coefficient of variation percent (CV%) between replicates of 40 or less in the growth and survival tests;
- 5) a critical dilution CV% of 40 or less in the growth and survival endpoints for either growth and survival test. However, if statistically significant lethal or nonlethal effects are exhibited at the critical dilution, a CV% greater than 40 shall not invalidate the test;
- 6) a percent minimum significant difference of 37 or less for mysid shrimp growth; and
- 7) a percent minimum significant difference of 28 or less for inland silverside growth.

b. Statistical Interpretation

- 1) For the survival and growth tests, the statistical analyses used to determine the IC₂₅ in survival or growth shall be as described in the methods manual referenced in Part 1.b.
- 2) The permittee is responsible for reviewing test concentration-response relationships to ensure that calculated test-results are interpreted and reported correctly. The document entitled "Method Guidance and Recommendation for Whole Effluent Toxicity (WET) Testing (40 CFR Part 136)" (EPA 821-B-00-004) provides guidance on determining the validity of test results.
- 3) Most point estimates are derived from a mathematical model that assumes a continuous dose-response relationship. For any test result that demonstrates a non-continuous (threshold) response, or a non-monotonic dose-response relationship, the IC₂₅ should be determined based on the method guidance manual referenced in Item 2.
- 4) Pursuant to the responsibility assigned to the permittee in Part 2.b.2), test results that demonstrate a non-monotonic dose-response relationship may be submitted, prior to the due date, for technical review of test validity and acceptability. The method guidance manual referenced in Item 2 will be used as the basis, along with best professional judgment, for making a determination of test validity and acceptability.

c. Dilution Water

Dilution water used in the toxicity tests shall be synthetic dilution water. The synthetic dilution water shall consist of standard, reconstituted seawater. Upon approval, the permittee may substitute other dilution water with chemical and physical characteristics similar to that of the receiving water.

d. Samples and Composites

- 1) The permittee shall collect a minimum of three composite samples from Outfall 001. The second and third composite samples will be used for the renewal of the dilution concentrations for each toxicity test.
- 2) The permittee shall collect the composite samples such that the samples are representative of any periodic episode of chlorination, biocide usage, or other potentially toxic substance being discharged on an intermittent basis.
- 3) The permittee shall initiate the toxicity tests within 36 hours after collection of the last portion of the first composite sample. The holding time for any subsequent composite sample shall not exceed 72 hours. Samples shall be maintained at a temperature of 0-6 degrees Centigrade during collection, shipping, and storage.
- 4) If Outfall 001 ceases discharging during the collection of effluent samples, the requirements for the minimum number of effluent samples, the minimum number of effluent portions and the sample holding time, are waived during that sampling period. However, the permittee must have collected an effluent composite sample volume sufficient to complete the required toxicity tests with renewal of the effluent. When possible, the effluent samples used for the toxicity tests shall be collected on separate days if the discharge occurs over multiple days. The sample collection duration and the static renewal protocol associated with the abbreviated sample collection must be documented in the full report.

3. Reporting

All reports, tables, plans, summaries, and related correspondence required of this section shall be submitted to the attention of the Standards Implementation Team (MC 150) of the Water Quality Division.

- a. The permittee shall prepare a full report of the results of all tests conducted in accordance with the manual referenced in Part 1.b. for every valid and invalid toxicity test initiated whether carried to completion or not.
- b. The permittee shall routinely report the results of each biomonitoring test on the Table 1 forms provided with this permit.
 - 1) Annual biomonitoring test results are due on or before January 20th for biomonitoring conducted during the previous 12-month period.
 - 2) Semiannual biomonitoring test results are due on or before July 20th and January 20th for biomonitoring conducted during the previous 6-month period.
 - 3) Quarterly biomonitoring test results are due on or before April 20th, July 20th, October 20th, and January 20th, for biomonitoring conducted during the previous calendar quarter.
 - 4) Monthly biomonitoring test results are due on or before the 20th day of the month following sampling.

- c. Enter the following codes for the appropriate parameters for valid tests only:
- 1) For the mysid shrimp, Parameter T4P3E, enter a “1” if the IC25 for survival is less than 100%; otherwise, enter a “0.”
 - 2) For the mysid shrimp, Parameter T6P3E, report the IC25 for survival.
 - 3) For the mysid shrimp, Parameter T5P3E, enter a “1” if the IC25 for growth is less than 80%; otherwise, enter a “0.”
 - 4) For the mysid shrimp, Parameter T7P3E, report the IC25 for growth.
 - 5) For the inland silverside, Parameter T4P6J, enter a “1” if the IC25 for survival is less than 100%; otherwise, enter a “0.”
 - 6) For the inland silverside, Parameter T6P6J, report the IC25 for survival.
 - 7) For the inland silverside, Parameter T5P6J, enter a “1” if the IC25 for growth is less than 80%; otherwise, enter a “0.”
 - 8) For the inland silverside, Parameter T7P6J, report the IC25 for growth.
- d. The permittee shall report the sublethal WET values for the 30-day average and the 7-day minimum under Parameter No. 51713 for the mysid shrimp and Parameter 51712 for the inland silverside. If more than one valid test per test species was performed during the reporting period, the IC25s will be averaged arithmetically and reported as the daily average IC25 for that test species. The data submitted should reflect the lowest sublethal and lethal values during the reporting period.

TABLE 1 (SHEET 1 OF 4)

MYSID SHRIMP SURVIVAL AND GROWTH

Dates and Times Collected
 No. 1 FROM: _____ Date Time TO: _____ Date Time
 No. 2 FROM: _____ Date Time TO: _____ Date Time
 No. 3 FROM: _____ Date Time TO: _____ Date Time

Test initiated: _____ am/pm _____ date

Dilution water used: _____ Receiving water _____ Synthetic dilution water

MYSID SHRIMP SURVIVAL

Percent Effluent	Percent Survival in Replicate Chambers								Mean Percent Survival			CV%*
	A	B	C	D	E	F	G	H	24h	48h	7 day	
0%												
23%												
42%												
56%												
80%												
100%												

* Coefficient of Variation = standard deviation x 100/mean

DATA TABLE FOR GROWTH OF MYSID SHRIMP

Replicate	Mean dry weight in milligrams in replicate chambers					
	0%	23%	42%	56%	80%	100%
A						
B						
C						
D						
E						

TABLE 1 (SHEET 2 OF 4)

MYSID SHRIMP SURVIVAL AND GROWTH

DATA TABLE FOR GROWTH OF MYSID SHRIMP (Continued)

Replicate	Mean dry weight in milligrams in replicate chambers					
	0%	23%	42%	56%	80%	100%
F						
G						
H						
Mean Dry Weight						
CV%*						
PMSD						

1. Is the IC25 for growth less than 23%? _____ YES _____ NO

2. Is the IC25 for survival less than 23%? _____ YES _____ NO

3. Enter percent effluent corresponding to each IC25 below:
 IC25 survival = _____%
 IC25 growth = _____%

TABLE 1 (SHEET 3 OF 4)

INLAND SILVERSIDE MINNOW LARVAL SURVIVAL AND GROWTH TEST

Dates and Times No. 1 FROM: _____ Date Time TO: _____ Date Time
 Composites
 Collected No. 2 FROM: _____ TO: _____
 No. 3 FROM: _____ TO: _____

Test initiated: _____ am/pm _____ date

Dilution water used: _____ Receiving water _____ Synthetic Dilution water

INLAND SILVERSIDE SURVIVAL

Percent Effluent	Percent Survival in Replicate Chambers					Mean Percent Survival			CV%*
	A	B	C	D	E	24h	48h	7 days	
0%									
23%									
42%									
56%									
80%									
100%									

* Coefficient of Variation = standard deviation x 100/mean

TABLE 1 (SHEET 4 OF 4)

INLAND SILVERSIDE LARVAL SURVIVAL AND GROWTH TEST

INLAND SILVERSIDE GROWTH

Percent Effluent	Average Dry Weight in replicate chambers					Mean Dry Weight (mg)	CV%*
	A	B	C	D	E		
0%							
23%							
42%							
56%							
80%							
100%							
PMSD							

Weights are for: ____ preserved larvae, or ____ unpreserved larvae

1. Is the IC25 for growth less than 23%? _____ YES _____ NO
2. Is the IC25 for survival less than 23%? _____ YES _____ NO
3. Enter percent effluent corresponding to each IC25 below:
 IC25 survival = _____ %
 IC25 growth = _____ %

CHRONIC BIOMONITORING REQUIREMENTS: MARINE

The provisions of this section apply to Outfall 002 for whole effluent toxicity (WET) testing.

1. Scope, Frequency and Methodology

- a. The permittee shall test the effluent for toxicity in accordance with the provisions below. Such testing will determine if an appropriately dilute effluent sample adversely affects the survival or growth of the test organisms.
- b. Within 90 days of initial discharge, the permittee shall conduct the following toxicity tests using the test organisms, procedures, and quality assurance requirements specified below and in accordance with "Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms," third edition (EPA-821-R-02-014) or its most recent update:
 - 1) Chronic static renewal 7-day survival and growth test using the mysid shrimp (*Americamysis bahia*) (Method 1007.0). A minimum of eight replicates with five organisms per replicate shall be used in the control and in each dilution. This test shall be conducted once per quarter.
 - 2) Chronic static renewal 7-day larval survival and growth test using the inland silverside (*Menidia beryllina*) (Method 1006.0). A minimum of five replicates with eight organisms per replicate shall be used in the control and in each dilution. This test shall be conducted once per quarter.

The permittee must perform and report a valid test for each test species during the prescribed reporting period. An invalid test must be repeated during the same reporting period. An invalid test is defined as any test failing to satisfy the test acceptability criteria, procedures, and quality assurance requirements specified in the test methods and permit.

- c. The permittee shall use five effluent dilution concentrations and a control in each toxicity test. These effluent dilution concentrations are 3%, 5%, 6%, 8%, and 11% effluent. The critical dilution, defined as 8% effluent, is the effluent concentration representative of the proportion of effluent in the receiving water during critical low flow or critical mixing conditions.
- d. Testing Frequency Reduction
 - 1) If none of the first four consecutive quarterly tests demonstrates significant toxicity, the permittee may submit this information in writing and, upon approval, reduce the testing frequency to once per six months for the invertebrate test species and once per year for the vertebrate test species.
 - 2) If one or more of the first four consecutive quarterly tests demonstrates significant toxicity, the permittee shall continue quarterly testing for that species until this permit is reissued. If a testing frequency reduction had been previously granted and a subsequent test demonstrates significant toxicity, the permittee will resume a quarterly testing frequency for that species until this permit is reissued.
- e. The sublethal Inhibition Concentration 25 (IC25) effluent limitation of not less than 8%

are effective for both test species (see the EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS section) at the time of initial discharge.

- f. If a test species fails to pass the sublethal endpoint at the 8% effluent concentration, the testing frequency will increase to monthly for that test species until such time compliance with the IC25 effluent limitation is demonstrated for a period of three consecutive months, at which time the quarterly testing frequency may be resumed.

2. Required Toxicity Testing Conditions

- a. Test Acceptance - The permittee shall repeat any toxicity test, including the control and all effluent dilutions, which fails to meet any of the following criteria:

- 1) a control mean survival of 80% or greater;
- 2) a control mean dry weight of surviving mysid shrimp of 0.20 mg or greater;
- 3) a control mean dry weight for surviving unpreserved inland silverside of 0.50 mg or greater and 0.43 mg or greater for surviving preserved inland silverside.
- 4) a control coefficient of variation percent (CV%) between replicates of 40 or less in the growth and survival tests;
- 5) a critical dilution CV% of 40 or less in the growth and survival endpoints for either growth and survival test. However, if statistically significant lethal or nonlethal effects are exhibited at the critical dilution, a CV% greater than 40 shall not invalidate the test;
- 6) a percent minimum significant difference of 37 or less for mysid shrimp growth; and
- 7) a percent minimum significant difference of 28 or less for inland silverside growth.

- b. Statistical Interpretation

- 1) For the survival and growth tests, the statistical analyses used to determine the IC25 in survival or growth shall be as described in the methods manual referenced in Part 1.b.
- 2) The permittee is responsible for reviewing test concentration-response relationships to ensure that calculated test-results are interpreted and reported correctly. The document entitled "Method Guidance and Recommendation for Whole Effluent Toxicity (WET) Testing (40 CFR Part 136)" (EPA 821-B-00-004) provides guidance on determining the validity of test results.
- 3) Most point estimates are derived from a mathematical model that assumes a continuous dose-response relationship. For any test result that demonstrates a non-continuous (threshold) response, or a non-monotonic dose-response relationship, the IC25 should be determined based on the method guidance manual referenced in Item 2.
- 4) Pursuant to the responsibility assigned to the permittee in Part 2.b.2), test

results that demonstrate a non-monotonic dose-response relationship may be submitted, prior to the due date, for technical review of test validity and acceptability. The method guidance manual referenced in Item 2 will be used as the basis, along with best professional judgment, for making a determination of test validity and acceptability.

c. Dilution Water

Dilution water used in the toxicity tests shall be synthetic dilution water. The synthetic dilution water shall consist of standard, reconstituted seawater. Upon approval, the permittee may substitute other dilution water with chemical and physical characteristics similar to that of the receiving water.

d. Samples and Composites

- 1) The permittee shall collect a minimum of three composite samples from Outfall 002. The second and third composite samples will be used for the renewal of the dilution concentrations for each toxicity test.
- 2) The permittee shall collect the composite samples such that the samples are representative of any periodic episode of chlorination, biocide usage, or other potentially toxic substance being discharged on an intermittent basis.
- 3) The permittee shall initiate the toxicity tests within 36 hours after collection of the last portion of the first composite sample. The holding time for any subsequent composite sample shall not exceed 72 hours. Samples shall be maintained at a temperature of 0-6 degrees Centigrade during collection, shipping, and storage.
- 4) If Outfall 002 ceases discharging during the collection of effluent samples, the requirements for the minimum number of effluent samples, the minimum number of effluent portions, and the sample holding time are waived during that sampling period. However, the permittee must have collected an effluent composite sample volume sufficient to complete the required toxicity tests with renewal of the effluent. When possible, the effluent samples used for the toxicity tests shall be collected on separate days if the discharge occurs over multiple days. The sample collection duration and the static renewal protocol associated with the abbreviated sample collection must be documented in the full report.

3. Reporting

All reports, tables, plans, summaries, and related correspondence required in this section shall be submitted to the attention of the Standards Implementation Team (MC 150) of the Water Quality Division.

- a. The permittee shall prepare a full report of the results of all tests conducted in accordance with the manual referenced in Part 1.b. for every valid and invalid toxicity test initiated whether carried to completion or not.
- b. The permittee shall routinely report the results of each biomonitoring test on the Table 1 forms provided with this permit.

- 1) Annual biomonitoring test results are due on or before January 20th for biomonitoring conducted during the previous 12-month period.
 - 2) Semiannual biomonitoring test results are due on or before July 20th and January 20th for biomonitoring conducted during the previous 6-month period.
 - 3) Quarterly biomonitoring test results are due on or before April 20th, July 20th, October 20th, and January 20th, for biomonitoring conducted during the previous calendar quarter.
 - 4) Monthly biomonitoring test results are due on or before the 20th day of the month following sampling.
- c. Enter the following codes for the appropriate parameters for valid tests only:
- 1) For the mysid shrimp, Parameter T4P3E, enter a "1" if the IC25 for survival is less than the critical dilution; otherwise, enter a "0."
 - 2) For the mysid shrimp, Parameter T6P3E, report the IC25 for survival.
 - 3) For the mysid shrimp, Parameter T5P3E, enter a "1" if the IC25 for growth is less than the critical dilution; otherwise, enter a "0."
 - 4) For the mysid shrimp, Parameter T7P3E, report the IC25 for growth.
 - 5) For the inland silverside, Parameter T4P6J, enter a "1" if the IC25 for survival is less than the critical dilution; otherwise, enter a "0."
 - 6) For the inland silverside, Parameter T6P6J, report the IC25 for survival.
 - 7) For the inland silverside, Parameter T5P6J, enter a "1" if the IC25 for growth is less than the critical dilution; otherwise, enter a "0."
 - 8) For the inland silverside, Parameter T7P6J, report the IC25 for growth.
- d. The permittee shall report the sublethal WET values for the 30-day average and the 7-day minimum under Parameter No. 51713 for the mysid shrimp and Parameter 51712 for the inland silverside. If more than one valid test per test species was performed during the reporting period, the IC25s will be averaged arithmetically and reported as the daily average IC25 for that test species. The data submitted should reflect the lowest sublethal and lethal values during the reporting period.

TABLE 1 (SHEET 1 OF 4)

MYSID SHRIMP SURVIVAL AND GROWTH

Dates and Times Collected
 No. 1 FROM: _____ Date Time TO: _____ Date Time
 No. 2 FROM: _____ Date Time TO: _____ Date Time
 No. 3 FROM: _____ Date Time TO: _____ Date Time

Test initiated: _____ am/pm _____ date

Dilution water used: _____ Receiving water _____ Synthetic dilution water

MYSID SHRIMP SURVIVAL

Percent Effluent	Percent Survival in Replicate Chambers								Mean Percent Survival			CV%*
	A	B	C	D	E	F	G	H	24h	48h	7 day	
0%												
3%												
5%												
6%												
8%												
11%												

* Coefficient of Variation = standard deviation x 100/mean

DATA TABLE FOR GROWTH OF MYSID SHRIMP

Replicate	Mean dry weight in milligrams in replicate chambers					
	0%	3%	5%	6%	8%	11%
A						
B						
C						
D						
E						

TABLE 1 (SHEET 2 OF 4)

MYSID SHRIMP SURVIVAL AND GROWTH

DATA TABLE FOR GROWTH OF MYSID SHRIMP (Continued)

Replicate	Mean dry weight in milligrams in replicate chambers					
	0%	3%	4%	6%	8%	11%
F						
G						
H						
Mean Dry Weight						
CV%*						
PMSD						

1. Is the IC25 for growth less than the critical dilution (8%)? _____ YES _____ NO

2. Is the IC25 for survival less than the critical dilution (8%)? _____ YES _____ NO

3. Enter percent effluent corresponding to each IC25 below:
 IC25 survival = _____%
 IC25 growth = _____%

TABLE 1 (SHEET 3 OF 4)

INLAND SILVERSIDE MINNOW LARVAL SURVIVAL AND GROWTH TEST

Dates and Times No. 1 FROM: _____ Date Time TO: _____ Date Time
 Composites
 Collected No. 2 FROM: _____ TO: _____
 No. 3 FROM: _____ TO: _____

Test initiated: _____ am/pm _____ date

Dilution water used: _____ Receiving water _____ Synthetic Dilution water

INLAND SILVERSIDE SURVIVAL

Percent Effluent	Percent Survival in Replicate Chambers					Mean Percent Survival			CV%*
	A	B	C	D	E	24h	48h	7 days	
0%									
3%									
5%									
6%									
8%									
11%									

* Coefficient of Variation = standard deviation x 100/mean

TABLE 1 (SHEET 4 OF 4)

INLAND SILVERSIDE LARVAL SURVIVAL AND GROWTH TEST

INLAND SILVERSIDE GROWTH

Percent Effluent	Average Dry Weight in replicate chambers					Mean Dry Weight (mg)	CV%*
	A	B	C	D	E		
0%							
3%							
5%							
6%							
8%							
11%							
PMSD							

Weights are for: ____ preserved larvae, or ____ unpreserved larvae

1. Is the IC25 for growth less than the critical dilution (8%)? _____ YES _____ NO
2. Is the IC25 for survival less than the critical dilution (8%)? _____ YES _____ NO
3. Enter percent effluent corresponding to each IC25 below:
 IC25 survival = _____ %
 IC25 growth = _____ %

24-HOUR ACUTE BIOMONITORING REQUIREMENTS: MARINE

The provisions of this section apply to Outfall 001 (until Outfall 002 begins discharging) and Outfall 002 for whole effluent toxicity (WET) testing.

1. Scope, Frequency, and Methodology

- a. The permittee shall test the effluent for lethality in accordance with the provisions in this Section. Such testing will determine compliance with Texas Surface Water Quality Standard 30 TAC § 307.6(e)(2)(B) which requires greater than 50% survival of the appropriate test organisms in 100% effluent for a 24-hour period.
- b. The toxicity tests specified shall be conducted once per six months for Outfall 001 until redirection of process water and within 90 days on initial discharge from Outfall 002. The permittee shall conduct the following toxicity tests using the test organisms, procedures, and quality assurance requirements specified in this section of the permit and in accordance with "Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms," fifth edition (EPA-821-R-02-012) or its most recent update:
 - 1) Acute 24-hour static toxicity test using the mysid shrimp (*Americamysis bahia*). A minimum of five replicates with eight organisms per replicate shall be used in the control and each dilution.
 - 2) Acute 24-hour static toxicity test using the inland silverside (*Menidia beryllina*). A minimum of five replicates with eight organisms per replicate shall be used in the control and each dilution.

A valid test result must be submitted for each reporting period. The permittee must report, then repeat, an invalid test during the same reporting period. The repeat test shall include the control and all effluent dilutions and use the appropriate number of organisms and replicates, as specified above. An invalid test is defined as any test failing to satisfy the test acceptability criteria, procedures, and quality assurance requirements specified in the test methods and permit.

- c. In addition to an appropriate control, a 100% effluent concentration shall be used in the toxicity tests. Except as discussed in Part 2.b., the control and dilution water shall consist of standard, synthetic, reconstituted seawater.
- d. This permit may be amended to require a WET limit, a best management practice, a chemical-specific limit, additional toxicity testing, and other appropriate actions to address toxicity to the inland silverside. The permittee may be required to conduct a toxicity reduction evaluation (TRE) after multiple toxic events.
- e. As the dilution series specified in the Chronic Biomonitoring Requirements for Outfall 001 includes a 100% effluent concentration, the results from those tests may fulfill the requirements of this section; any tests performed in the proper time interval may be substituted. Compliance will be evaluated as specified in Part 1.a. The 50% survival in 100% effluent for a 24-hour period standard applies to all tests utilizing a 100% effluent dilution, regardless of whether the results are submitted to comply with the minimum testing frequency.
- f. The WET limit of greater than 50% survival in 100% effluent (LC50 of greater than

100%) after 24-hours is effective at the permit issue date (see also EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS section) for the mysid shrimp for Outfall 001 and upon initial discharge for Outfall 002.

- g. If a mysid shrimp test fails to meet an LC50 of greater than 100%, the permittee shall be considered in violation of this permit limit and the testing frequency will increase to monthly until such time compliance with the WET limit is demonstrated for three consecutive months, at which time the permittee may return to the semi-annual testing frequency.

2. Required Toxicity Testing Conditions

- a. Test Acceptance - The permittee shall repeat any toxicity test, including the control, if the control fails to meet a mean survival equal to or greater than 90%.
- b. Dilution Water - In accordance with Part 1.c., the control and dilution water shall consist of standard, synthetic, reconstituted seawater.
- c. Samples and Composites
 - 1) The permittee shall collect one composite sample from the outfall being sampled.
 - 2) The permittee shall collect the composite sample such that the sample is representative of any periodic episode of chlorination, biocide usage, or other potentially toxic substance being discharged on an intermittent basis.
 - 3) The permittee shall initiate the toxicity tests within 36 hours after collection of the last portion of the composite sample. The sample shall be maintained at a temperature of 0-6 degrees Centigrade during collection, shipping, and storage.
 - 4) If the outfall being sampled ceases discharging during the collection of the effluent composite sample, the requirements for the minimum number of effluent portions are waived. However, the permittee must have collected a composite sample volume sufficient for completion of the required test. The abbreviated sample collection, duration, and methodology must be documented in the full report.

3. Reporting

All reports, tables, plans, summaries, and related correspondence required of this section shall be submitted to the attention of the Standards Implementation Team (MC 150) of the Water Quality Division.

- a. The permittee shall prepare a full report of the results of all tests conducted in accordance with the manual referenced in Part 1.b. for every valid and invalid toxicity test initiated.
- b. The permittee shall routinely report the results of each biomonitoring test on the Table 2 forms provided with this permit.
 - 1) Semiannual biomonitoring test results are due on or before July 20th and January 20th for biomonitoring conducted during the previous 6-month period.

- 2) Quarterly biomonitoring test results are due on or before April 20th, July 20th, October 20th, and January 20th for biomonitoring conducted during the previous calendar quarter.
- c. Enter the following codes for the appropriate parameters for valid tests only:
 - 1) For the mysid shrimp, Parameter TIE3E, enter a "0" if the mean survival at 24 hours is greater than 50% in the 100% effluent dilution; if the mean survival is less than or equal to 50%, enter a "1."
 - 2) For the inland silverside, Parameter TII6J, enter a "0" if the mean survival at 24 hours is greater than 50% in the 100% effluent dilution; if the mean survival is less than or equal to 50%, enter a "1."
- d. Enter the following codes for inland silverside retests only:
 - 1) For retest number 1, Parameter 22415, enter a "0" if the mean survival at 24 hours is greater than 50% in the 100% effluent dilution; if the mean survival is less than or equal to 50%, enter "1."
 - 2) For retest number 2, Parameter 22416, enter a "0" if the mean survival at 24 hours is greater than 50% in the 100% effluent dilution; if the mean survival is less than or equal to 50%, enter "1."
- e. The permittee shall report the 24-hour acute WET values for the 30-day average and the 7-day minimum under Parameter No. 51713 for the appropriate reporting period for the mysid shrimp. If more than one valid test was performed during the reporting period, the LC50s will be averaged arithmetically and reported as the daily average LC50. The data submitted should reflect the lowest LC50 values during the reporting period.

4. Persistent Mortality

The requirements of this part apply only to the inland silverside and only when a toxicity test demonstrates significant lethality, here defined as a mean mortality of 50% or greater to organisms exposed to the 100% effluent concentration after 24 hours.

- a. The permittee shall conduct 2 additional tests (retests) for each yeast that demonstrates significant lethality. The two retests shall be conducted once per week for 2 weeks. Five effluent dilution concentrations in addition to an appropriate control shall be used in the retests. These additional effluent concentrations are 6%, 13%, 25%, 50% and 100% effluent. The first retest shall be conducted within 15 days of the laboratory determination of significant lethality. All test results shall be submitted within 20 days of test completion of the second retest. Test completion is defined as the 24th hour.
- b. If one or both of the two retests specified in item 4.a. demonstrates significant lethality, the permittee shall initiate the TRE requirements as specified in Part 5 of this Section.

5. Toxicity Reduction Evaluation

- a. Within 45 days of the retest that demonstrates significant lethality, the permittee shall submit a general outline for initiating a TRE. The outline shall include, but not be

limited to, a description of project personnel, a schedule for obtaining consultants (if needed), a discussion of influent and effluent data available for review, a sampling and analytical schedule, and a proposed TRE initiation date.

- b. Within 90 days of the retest that demonstrates significant lethality, the permittee shall submit a TRE action plan and schedule for conducting a TRE. The plan shall specify the approach and methodology to be used in performing the TRE. A TRE is a step-wise investigation combining toxicity testing with physical and chemical analyses to determine actions necessary to eliminate or reduce effluent toxicity to a level not effecting significant lethality at the critical dilution. The TRE action plan shall lead to the successful elimination of significant lethality for both test species defined in Part 1.b. At a minimum, the TRE action plan shall include the following:
- 1) **Specific Activities** - The TRE action plan shall specify the approach the permittee intends to utilize in conducting the TRE, including toxicity characterizations, identifications, confirmations, source evaluations, treatability studies, and alternative approaches. When conducting characterization analyses, the permittee shall perform multiple characterizations and follow the procedures specified in the document entitled "Methods for Aquatic Toxicity Identification Evaluations: Phase I Toxicity Characterization Procedures" (EPA/600/6-91/003) or alternate procedures. The permittee shall perform multiple identifications and follow the methods specified in the documents entitled "Methods for Aquatic Toxicity Identification Evaluations: Phase II Toxicity Identification Procedures for Samples Exhibiting Acute and Chronic Toxicity" (EPA/600/R-92/080) and "Methods for Aquatic Toxicity Identification Evaluations: Phase III Toxicity Confirmation Procedures for Samples Exhibiting Acute and Chronic Toxicity" (EPA/600/R-92/081). All characterization, identification, and confirmation tests shall be conducted in an orderly and logical progression;
 - 2) **Sampling Plan** - The TRE action plan should describe sampling locations, methods, holding times, chain of custody, and preservation techniques. The effluent sample volume collected for all tests shall be adequate to perform the toxicity characterization/identification/confirmation procedures and chemical-specific analyses when the toxicity tests show significant lethality. Where the permittee has identified or suspects a specific pollutant and source of effluent toxicity, the permittee shall conduct, concurrent with toxicity testing, chemical-specific analyses for the identified and suspected pollutant and source of effluent toxicity;
 - 3) **Quality Assurance Plan** - The TRE action plan should address record keeping and data evaluation, calibration and standardization, baseline tests, system blanks, controls, duplicates, spikes, toxicity persistence in the samples, randomization, reference toxicant control charts, and mechanisms to detect artifactual toxicity; and
 - 4) **Project Organization** - The TRE action plan should describe the project staff, project manager, consulting engineering services (where applicable), consulting analytical and toxicological services, etc.
- c. Within 30 days of submittal of the TRE action plan and schedule, the permittee shall implement the TRE.

- d. The permittee shall submit quarterly TRE activities reports concerning the progress of the TRE. The quarterly TRE activities reports are due on or before April 20th, July 20th, October 20th, and January 20th. The report shall detail information regarding the TRE activities including:
- 1) results and interpretation of any chemical-specific analyses for the identified and suspected pollutant performed during the quarter;
 - 2) results and interpretation of any characterization, identification, and confirmation tests performed during the quarter;
 - 3) any data and substantiating documentation that identifies the pollutant and source of effluent toxicity;
 - 4) results of any studies/evaluations concerning the treatability of the facility's effluent toxicity;
 - 5) any data that identifies effluent toxicity control mechanisms that will reduce effluent toxicity to the level necessary to eliminate significant lethality; and
 - 6) any changes to the initial TRE plan and schedule that are believed necessary as a result of the TRE findings.

Copies of the TRE activities report shall also be submitted to the U.S. EPA Region 6 office.

- e. During the TRE, the permittee shall perform, at a minimum, quarterly testing using the more sensitive species. Testing for the less sensitive species shall continue at the frequency specified in Part 1.b.
- f. If the effluent ceases to effect significant lethality, i.e., there is a cessation of lethality, the permittee may end the TRE. A cessation of lethality is defined as no significant lethality for a period of 12 consecutive weeks with at least weekly testing. At the end of the 12 weeks, the permittee shall submit a statement of intent to cease the TRE and may then resume the testing frequency specified in Part 1.b.

This provision accommodates situations where operational errors and upsets, spills, or sampling errors triggered the TRE, in contrast to a situation where a single toxicant or group of toxicants cause lethality. This provision does not apply as a result of corrective actions taken by the permittee. Corrective actions are defined as proactive efforts that eliminate or reduce effluent toxicity. These include, but are not limited to, source reduction or elimination, improved housekeeping, changes in chemical usage, and modifications of influent streams and effluent treatment.

The permittee may only apply this cessation of lethality provision once. If the effluent again demonstrates significant lethality to the same species, the permit will be amended to add a WET limit with a compliance period, if appropriate. However, prior to the effective date of the WET limit, the permittee may apply for a permit amendment removing and replacing the WET limit with an alternate toxicity control measure by identifying and confirming the toxicant and an appropriate control measure.

- g. The permittee shall complete the TRE and submit a final report on the TRE activities no later than 18 months from the last test day of the retest that demonstrates

significant lethality. The permittee may petition the Executive Director (in writing) for an extension of the 18-month limit. However, to warrant an extension the permittee must have demonstrated due diligence in its pursuit of the toxicity identification evaluation/TRE and must prove that circumstances beyond its control stalled the toxicity identification evaluation/TRE. The report shall specify the control mechanism that will, when implemented, reduce effluent toxicity as specified in Part 5.h. The report shall also specify a corrective action schedule for implementing the selected control mechanism. A copy of the TRE final report shall also be submitted to the U.S. EPA Region 6 office.

- h. Within 3 years of the last day of the test confirming toxicity, the permittee shall comply with 30 TAC § 307.6(e)(2)(B), which requires greater than 50% survival of the test organism in 100% effluent at the end of 24-hours. The permittee may petition the Executive Director (in writing) for an extension of the 3-year limit. However, to warrant an extension the permittee must have demonstrated due diligence in its pursuit of the toxicity identification evaluation/TRE and must prove that circumstances beyond its control stalled the toxicity identification evaluation/TRE.

The permittee may be exempted from complying with 30 TAC § 307.6(e)(2)(B) upon proving that toxicity is caused by an excess, imbalance, or deficiency of dissolved salts. This exemption excludes instances where individually toxic components (e.g., metals) form a salt compound. Following the exemption, the permit may be amended to include an ion-adjustment protocol, alternate species testing, or single species testing.

- i. Based upon the results of the TRE and proposed corrective actions, this permit may be amended to modify the biomonitoring requirements where necessary, require a compliance schedule for implementation of corrective actions, specify a WET limit, specify a best management practice, and to specify a chemical specific limit.

TABLE 2 (SHEET 1 OF 2)
 MYSID SHRIMP SURVIVAL

GENERAL INFORMATION

	Time	Date
Composite Sample Collected		
Test Initiated		

PERCENT SURVIVAL

Time	Rep	Percent effluent					
		0%	6%	13%	25%	50%	100%
24h	A						
	B						
	C						
	D						
	E						
	MEAN						

Enter percent effluent corresponding to the LC50 below:

24 hour LC50 = _____% effluent

TABLE 2 (SHEET 2 OF 2)
 INLAND SILVERSIDE SURVIVAL

GENERAL INFORMATION

	Time	Date
Composite Sample Collected		
Test Initiated		

PERCENT SURVIVAL

Time	Rep	Percent effluent					
		0%	6%	13%	25%	50%	100%
24h	A						
	B						
	C						
	D						
	E						
	MEAN						

Enter percent effluent corresponding to the LC50 below:

24 hour LC50 = _____% effluent

FACT SHEET AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

For draft Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0003137000, U.S. Environmental Protection Agency (EPA) ID No. TX0105481, to discharge to water in the state

Issuing Office: Texas Commission on Environmental Quality (TCEQ)
P.O. Box 13087
Austin, Texas 78711-3087

Applicant: HEP Javelina Company, LLC
5438 Union Street
Corpus Christi, Texas 78407

Prepared By: Ruiqiang Zong
Industrial Wastewater Section
Water Quality Division
(512) 239-4589

Date: February 13, 2026

Permit Action: Major amendment with renewal

I. EXECUTIVE DIRECTOR RECOMMENDATION

The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The draft permit will expire at midnight, five years from the date of permit issuance according to the requirements of 30 Texas Administrative Code (TAC) §305.127(1)(C)(i).

II. APPLICANT ACTIVITY

The applicant currently operates the Javelina Gas Processing Facility, a petroleum gas liquids processing facility.

III. DISCHARGE LOCATION

As described in the application, the facility is located at 5314 Interstate Highway 37, in the City of Corpus Christi, Nueces County, Texas 78407. Discharge is via Outfall 001 to an unnamed drainage ditch, thence to a concrete ditch, thence to a concrete ditch (tidal), thence to the Tule Lake portion of Corpus Christi Inner Harbor, thence to Corpus Christi Inner Harbor in Segment No. 2484 of the Bays and Estuaries; and via Outfall 002 through a pipe directly to Corpus Christi Inner Harbor in Segment No. 2484 of the Bays and Estuaries.

IV. RECEIVING STREAM USES

The unclassified receiving water uses are minimal aquatic life use for the unnamed drainage ditch and the concrete ditch, and intermediate aquatic life use for the concrete ditch (tidal). The designated uses for Segment No. 2484 are non-contact recreation and intermediate aquatic life use.

V. STREAM STANDARDS

The general criteria and numerical criteria that make up the stream standards are provided in 30 TAC §§ 307.1 - 307.10.

FACT SHEET AND EXECUTIVE DIRECTOR’S PRELIMINARY DECISION

VI. DISCHARGE DESCRIPTION

The following is a quantitative description of the discharge described in the monthly effluent report data for the period January 2019 through November 2024. The “average of daily average” values presented in the following table are the average of all daily average values for the reporting period for each pollutant. The “maximum of daily maximum” values presented in the following table are the individual maximum values for the reporting period for each pollutant. Flows are expressed in million gallons per day (MGD). All pH values are expressed in standard units (SU). Outfall 002 has not constructed and has not discharged and thus Outfall 001 has not entered the final phase. The last application was for a major amendment without renewal and the permit writer did not assess DMR data as the amendment was for a limited scope, not requiring review of DMR data. Therefore, the data was reviewed back to 2019 for this purpose.

A. Flow (dry weather)

Outfall	Frequency	Average of Daily Average, MGD	Maximum of Daily Maximum, MGD
001	Continuous	0.229	1.13

C. Effluent Characteristics

Outfall	Pollutant	Average of Daily Average		Maximum of Daily Maximum	
		lbs/day	mg/L	lbs/day	mg/L
001	Total Suspended Solids (TSS)	22.14	11.88	7,244	3,600
	Carbonaceous Biochemical Oxygen Demand, 5 days (CBOD ₅)	4.95	2.67	50.3	26.6
	Chemical Oxygen Demand (COD)	107.85	57.07	542.32	279
	Oil and Grease	9.32	4.95	279.92	139.1
	Ammonia (as N)	0.69	0.38	18.22	12.6
	Total Residual Chlorine	0.43	0.23	5.38	3.04
	Sulfides	0.11	0.055	0.61	0.3
	Total Copper	N/A	0.0099	N/A	2.95
	Total Selenium	N/A	0.0013	N/A	0.027
	Total Zinc	N/A	0.058	N/A	11.6
	Free Available Cyanide	N/A	0.0048	N/A	0.047
001	pH	6.01 SU, minimum		8.85 SU, maximum	
		7-day minimum		30-day average	
	Lethal Whole Effluent Toxicity (WET) Test (<i>Americamysis bahia</i>)	66.3%		98.5%	
	Sublethal WET Test (<i>Americamysis bahia</i>)	81.1%		84.4%	
	Lethal WET Test (<i>Menidia Beryllina</i>)	100%		100%	
	Sublethal WET Test (<i>Menidia Beryllina</i>)	100%		100%	

Effluent limit violations documented in the monthly effluent reports are summarized in the following table.

D. Effluent Limitation Violations

Outfall	Pollutant (units)	Month/Year	Daily Average		Daily Maximum	
			Limit	Reported	Limit	Reported
001	Total Copper	6/2019	-	-	0.028	0.0486
		7/2019	-	-	0.028	2.95

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D. Effluent Limitation Violations

Outfall	Pollutant (units)	Month/ Year	Daily Average		Daily Maximum	
			Limit	Reported	Limit	Reported
001	Free Available Cyanide	8/2022	-	-	0.006	0.008
	Free Available Cyanide	9/2022	0.003	0.006	0.006	0.009
		10/2022	0.003	0.008	0.006	0.009
		11/2022	0.003	0.007	0.006	0.009
		12/2022	0.003	0.004	0.006	0.008
		1/2023	0.003	0.005	0.006	0.007
		2/2023	0.003	-	0.006	0.007
		3/2023	0.003	-	0.006	0.008
		6/2023	0.003	0.011	0.006	0.022
		7/2023	0.003	0.005	0.006	0.009
		8/2023	0.003	0.006	0.006	0.009
		9/2023	0.003	0.008	0.006	0.01
		1/2024	0.003	0.016	0.006	0.047
		3/2024	0.003	0.006	0.006	0.025
Ammonia (as N)	5/2021	-	-	10	12.6	
Oil and Grease	7/2019	10	17.31	15	139.1	
		60	279.92			
	9/2019	-	-	15	15.4	
	11/2022	-	-	15	33	
COD	9/2024	-	-	60	60.44	
	9/2024	-	-	15	18.3	
COD	10/2022	-	-	200	250	
	11/2022	-	-	200	279	
TSS	7/2019	30	334.1	100	3,600	
		120	675.5	399	7,244	
	3/2020	-	-	100	221	
	4/2021	399	570			
		100	107			
5/2021	-	-	100	136		
Total Zinc	4/2019	0.08	0.185	0.16	0.254	
	6/2019	0.08	0.248	0.16	0.646	
	7/2019	0.08	1.694	0.16	11.6	
	2/2021	0.08	0.103	-	-	
	6/2024	0.08	0.127	0.16	0.194	
WET Tests	14 failures					

The draft permit was not changed to address these effluent limit violations. Based on provided information, the exceedances of free available cyanide ended in March 2024, the applicant has expended considerable effort to identify and control sources of cyanide and has not exceeded the effluent limit for free available cyanide in 2025. In addition, the major amendment is proposed to increase the effluent limitations for free cyanide based on the site-specific dilution factors. The existing sampling and monitoring frequency is continued in the draft permit. The violations for total copper, ammonia (as N), oil and grease, COD, Zinc, and TSS are isolated and do not indicate the patterns of noncompliance. The Office of Compliance and Enforcement in the TCEQ may take action to resolve these violations. In addition, the draft permit does not include testing frequency reduction for both biomonitoring test species due to numerous violations/failures in whole effluent toxicity (WET) testing. Existing WET limits at Outfall 001

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interim phase are proposed to be amended based on the site-specific dilution request in the draft permit.

VII. DRAFT EFFLUENT LIMITATIONS

The draft permit authorizes the discharge of treated process wastewater, utility wastewater, water treatment wastes, and stormwater at a daily average dry-weather flow not to exceed 478,000 gallons per day via Outfall 001 in the interim phase and Outfall 002; and on an intermittent and flow-variable basis via Outfall 001 in the final phase. Effluent limitations are established in the draft permit as follows:

Outfall	Pollutant	Daily Average	Daily Maximum	
001 Interim phase	Flow (dry weather)	0.478 MGD	1.13 MGD	
	TSS	120 lbs/day 30 mg/L	399 lbs/day 100 mg/L	
	CBOD ₅	60 lbs/day 15 mg/L	120 lbs/day 30 mg/L	
	COD	598 lbs/day 150 mg/L	798 lbs/day 200 mg/L	
	Ammonia (as N)	12 lbs/day 3.0 mg/L	40 lbs/day 10 mg/L	
	Oil and Grease	40 lbs/day 10 mg/L	60 lbs/day 15 mg/L	
	Sulfides	0.88 lbs/day 0.22 mg/L	1.76 lbs/day 0.44 mg/L	
	Total Residual Chlorine	Report, lbs/day Report, mg/L	Report, lbs/day Report, mg/L	
	Total Copper	0.055 mg/L	0.12 mg/L	
	Total Selenium	0.017 mg/L	0.036 mg/L	
	Total Zinc	0.23 mg/L	0.48 mg/L	
	Free Cyanide	0.0082 mg/L	0.017 mg/L	
	pH	6.0 SU, minimum	9.0 SU	
		7-day minimum	30-day average	
		Sublethal WET limit 23% (Parameter 51713)		
		<i>Americamysis bahia</i> (7-day chronic IC ₂₅ ¹)	23%	23%
		Sublethal WET limit 23% (Parameter 51712)		
	<i>Menidia beryllina</i> (7-day chronic IC ₂₅ ¹)	23%	23%	
	24-hour Acute WET limit >100% (Parameter 51713)			
	<i>Americamysis bahia</i> (24-hour acute LC ₅₀ ²)	>100%	>100%	
001 Final phase	Flow	Report, MGD	Report, MGD	
	TSS	30 mg/L	100 mg/L	
	COD	150 mg/L	200 mg/L	

¹ The IC₂₅ is defined the inhibition concentration of effluent that would cause 1 25% reduction in the specified endpoint.

² The IC₅₀ (Lethal Concentration 50) is defined as the effluent dilution at which 50% of the organisms survive.

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Outfall	Pollutant	Daily Average	Daily Maximum	
001 Final phase	Oil and Grease	10 mg/L	15 mg/L	
	Total Residual Chlorine	Report, mg/L	Report, mg/L	
	Sulfides	0.22 mg/L	0.44 mg/L	
	Rainfall	N/A	Report, inches	
	pH	6.0 SU, minimum	9.0 SU	
002	Flow (dry weather)	0.478 MGD	1.13 MGD	
	TSS	120 lbs/day 30 mg/L	399 lbs/day 100 mg/L	
	CBOD ₅	60 lbs/day 15 mg/L	120 lbs/day 30 mg/L	
	COD	598 lbs/day 150 mg/L	798 lbs/day 200 mg/L	
	Ammonia (as N)	12 lbs/day 3.0 mg/L	40 lbs/day 10 mg/L	
	Oil and Grease	40 lbs/day 10 mg/L	60 lbs/day 15 mg/L	
	Sulfides	0.88 lbs/day 0.22 mg/L	1.76 lbs/day 0.44 mg/L	
	Total Residual Chlorine	Report, lbs/day Report, mg/L	Report, lbs/day Report, mg/L	
	Total Copper	Report, lbs/day Report, mg/L	Report, lbs/day Report, mg/L	
	Total Selenium	Report, lbs/day Report, mg/L	Report, lbs/day Report, mg/L	
	Total Zinc	Report, lbs/day Report, mg/L	Report, lbs/day Report, mg/L	
	Free Cyanide	Report, lbs/day 0.0088, mg/L	Report, lbs/day 0.019, mg/L	
	pH	6.0 SU, min	9.0 SU	
		7-day Minimum	30-day Average	
	Sublethal WET limit 8% (Parameter 51713)			
	<i>Americamysis bahia</i> (7-day chronic IC25 ¹)		8%	8%
	Sublethal WET limit 8% (Parameter 51712)			
	<i>Menidia beryllina</i> (7-day chronic IC25 ¹)		8%	8%
	24-hour Acute WET limit >100% (Parameter 51713)			
	<i>Americamysis bahia</i> (24-hour acute LC50 ²)		>100%	>100%

OUTFALL LOCATIONS

Outfall	Latitude	Longitude
001	27.810018 N	97.457053 W
002	27.815000 N	97.460778 W

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VIII. SUMMARY OF CHANGES FROM APPLICATION

1. The applicant requested the following amendments that the executive director is proposing to grant:

The permittee requested to increase the daily average, daily maximum, and single grab concentration limits for total copper, total selenium, total zinc, and free cyanide for Outfall 001 interim phase; use site-specific dilution factors to calculate the water quality-based effluent limits; for Outfall 001 interim phase.

The applicant submitted reports (included in Attachment T-2 of the permit application technical report and supplementary information on September 17, 2025 for screening study report for warmer month) to justify site-specific dilution factors of 32% for the zone of initial dilution (ZID) and 23% for the chronic aquatic life mixing zone for Outfall 001 interim phase. The report incorporates data on water depth, salinity, specific conductivity, and temperature collected at multiple locations downstream of Outfall 001 during the interim phase. According to the report, the applicant utilized salinity data to conduct mass balance calculations to derive the site-specific dilution values for the ZID and chronic aquatic life mixing zones in the tidal portion of the ditch. The applicant proposed a dilution factor of 32% for the ZID (represented by Location 2, where the tidal portion of the ditch begins) and 23% for the chronic aquatic life mixing zone (represented by Location 3, approximately 600 feet downstream of Location 2).

The reports have been reviewed and accepted by Water Quality Assessment Team with an updated memo dated January 23, 2026. As a result, the site-specific effluent dilution percentages of 23% for chronic aquatic life and 32% for acute aquatic life were adopted to calculate the Water Quality-based Effluent limitations (WQBELs) in the draft permit.

Based on the newly calculated WQBELs, the following effluent limitations are proposed in the draft permit for total copper, total selenium, total zinc, and free cyanide at Outfall 001 interim phase:

Pollutant	Existing limitations (mg/L)		Proposed limitations (mg/L)	
	Daily Avg.	Daily Max.	Daily Avg.	Daily Max.
Total Copper	0.013	0.028	0.055	0.12
Total Selenium	0.02 ³	0.04 ³	0.017	0.036
Total Zinc	0.08	0.16	0.23	0.48
Free Cyanide	0.003	0.006	0.0082	0.017

Based on 40 CFR 122.44(l)(2)(i)(B)(1), Information is available which was not available at the time of permit issuance (other than revised regulations, guidance, or test methods) and which would have justified the application of a less stringent effluent limitation at the time of permit issuance. The applicant provided the site-specific data to demonstrate that requested dilution percentages are more appropriate than a default values to evaluate the receiving water quality. Therefore, the relaxation of effluent limitations for total copper, total zinc, free cyanide do not violate EPA’s anti-backsliding regulations in 40 CFR 122.44(l) for reissued permits.

³ The newly calculated effluent limits for total selenium are just as stringent as the existing ones; any minor discrepancies are due to numerical rounding. For consistency, these values have been rounded to two decimal places.

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2. The applicant requested to use a site-specific critical dilution for biomonitoring requirements for Outfall 001 interim phase.

Upon the approval of the site-specific effluent dilution for chronic aquatic (23%) and for acute aquatic life (32%) by Water Quality Assessment Team, the series of whole effluent toxicity testing have been changed to 23%, 42%, 56%, 80%, and 100% with a critical dilution of 23% correspondly.

Accordingly, the WET limits at Outfall 001 (interim phase) have been revised to reflect the site-specific critical dilution. Based on the special agreement between TCEQ and EPA Region 6, when the critical dilution is greater than 80%, both lethal and sublethal WET limits are included in permits that require WET limits. When the critical dilution is less than 80%, only the sublethal WET limit is required because it is the more stringent requirement.

Based on 40 CFR 122.44(l)(2)(i)(B)(1), Information is available which was not available at the time of permit issuance (other than revised regulations, guidance, or test methods) and which would have justified the application of a less stringent effluent limitation at the time of permit issuance. The information for site-specific critical dilution has been accepted and incorporated into the permit, consequently, the less stringent WET limits are proposed in the draft permit which does not violate EPA’s anti-backslidig regulations in 40 CFR 122.44(l) for reissued permits.

The following revised WET limits at Outfall 001 interim phase are proposed:

	7-day minimum	30-day average
Sublethal WET limit 23% (Parameter 51713)		
<i>Americamysis bahia</i> (7-day chronic IC25)	23%	23%
Sublethal WET limit 23% (Parameter 51712)		
<i>Menidia beryllina</i> (7-day chronic IC25)	23%	23%

The following changes have been made from the application that makes the draft permit more stringent:

1. The wastestreams at Outfall 001 interim phase will be routed to Outfall 002 after construction is completed. The submitted analytical data are also for Outfall 001 interim phase are also applicable to Outfall 002. The submitted analytical data for free cyanide exceeds 80% of calculated water-quality based limits at Outfall 002. Therefore, the water quality-based limits for free cyanide (daily average of 0.0088 mg/L and daily maximum of 0.19 mg/l) have been proposed at Outfall 002 in the draft permit. A three-year compliance period has been proposed to provide compliance time.
2. Other Requirement No. 15 has been added to specify that the permit prohibits the discharge of process wastewater from the HEP Javelina SMR, LLC (previous Air Products) operations (subject to 40 CFR Part 415, Subpart AO - Hydrogen Production).

IX. SUMMARY OF CHANGES FROM EXISTING PERMIT

The following additional changes have been made to the draft permit:

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1. The existing daily average and daily maximum for WET limits at Outfall 001 interim phase and Outfall 002 have been changed to 7-day minimum and 30-day average which are consistent with the biomonitoring language.
2. The existing sample type for 24-hour acute WET testing at Outfall 001 interim phase has been changed to "composite" based on TCEQ's practices.
3. Existing Other Requirement No. 14 (No. 13 in the draft permit) has been revised to remove Outfall 002 for retesting requirements. The purpose of Outfall 002 is to re-route the wastestreams at Outfall 001 interim phase via Outfall 002. There are no changes for the wastestreams via Outfall 001 interim phase or Outfall 002. Therefore, the submitted analytical data for Outfall 001 interim phase also satisfies the retesting requirements for Outfall 002.
4. Tables 1 & 2 in existing Other Requirement No. 14 (No. 13 in the draft permit) has been revised to reduce the retesting sampling at Outfall 001 final phase to minimum one sampling event because the flow is proposed to be intermittent, and it might not be appropriate to take four samples during limited discharge events.
5. Other Requirement No. 6 has been revised to include "water treatment wastes" for the sources at Outfall 002. The wastestream of water treatment wastes has been authorized in the existing permit but Other Requirement No. 6 did not include it.
6. Other Requirement No. 7 has been removed from the draft permit because the permittee is no longer owning the land for reuse and irrigation.
7. Other Requirement Nos. 8-15 have been renumbered to Nos. 7-14 in the draft permit.
8. Other Requirement No. 16 has been added to state that the permit acknowledges the discharge of third-party wastes from HEP Javelina SMR, LLC (previous Air Products) and Infinium Project LLC without authorizing the acceptance. If authorization for accepting third-party wastes is required, the permittee must obtain prior approval from TCEQ.

X. DRAFT PERMIT RATIONALE

The following section sets forth the statutory and regulatory requirements considered in preparing the draft permit. Also set forth are any calculations or other necessary explanations of the derivation of specific effluent limitations and conditions, including a citation to the applicable effluent limitation guidelines and water quality standards.

A. REASON FOR PERMIT ISSUANCE

The applicant applied to the TCEQ for a major amendment to TPDES Permit No. WQ0003137000 to increase the daily average, daily maximum, and single grab concentration limits for total copper, total selenium, total zinc, and free cyanide for Outfall 001 interim phase, use site-specific dilution factors in the calculation of water quality-based effluent limits for Outfall 001 interim phase; and use a site-specific critical dilution for biomonitoring requirements for Outfall 001 interim phase. The existing permit authorizes the discharge of treated process wastewater, utility wastewater, water treatment wastes, and stormwater at a daily average dry-weather flow not to exceed 0.478 MGD via Outfall 001 in the interim phase and Outfall 002; and on an intermittent and flow-variable basis via Outfall 001 in the final phase.

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The executive director has reviewed this action for consistency with the goals and policies of the Texas Coastal Management Program (CMP) in accordance with the regulations of the General Land Office and has determined that the action is consistent with the applicable CMP goals and policies.

B. WATER QUALITY SUMMARY**Discharge Routes**

The discharge route is via Outfall 001 to an unnamed drainage ditch, thence to a concrete ditch, thence to a concrete ditch (tidal), thence to the Tule Lake portion of Corpus Christi Inner Harbor, thence to Corpus Christi Inner Harbor in Segment No. 2484 of the Bays and Estuaries; and via Outfall 002 through a pipe directly to Corpus Christi Inner Harbor in Segment No. 2484 of the Bays and Estuaries. The unclassified receiving water uses are minimal aquatic life use for the unnamed drainage ditch and the concrete ditch and intermediate aquatic life use for the concrete ditch (tidal). The designated uses for Segment No. 2484 are non-contact recreation and intermediate aquatic life use. Effluent limitations and conditions established in the draft permit comply with state water quality standards and the applicable water quality management plan. The effluent limits in the draft permit will maintain and protect the existing instream uses. Additional discussion of the water quality aspects of the draft permit can be found at Section X.D. of this fact sheet.

Antidegradation Review

In accordance with 30 TAC § 307.5 and TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in the concrete ditch (tidal), Tule Lake portion of Corpus Christi Inner Harbor, and Corpus Christi Inner Harbor, which has been identified as having intermediate aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

Endangered Species Review

The discharge from this permit action is not expected to have an effect on any federal endangered or threatened aquatic or aquatic dependent species or proposed species or their critical habitat. This determination is based on the United States Fish and Wildlife Service's (USFWS) biological opinion on the State of Texas authorization of the Texas Pollutant Discharge Elimination System Program (TPDES; September 14, 1998, October 21, 1998 update). To make this determination for TPDES permits, TCEQ and EPA only consider aquatic or aquatic dependent species occurring in watersheds of critical concern or high priority as listed in Appendix A of the USFWS biological opinion. Though the piping plover, *Charadrius melodius Ord*, can occur in Nueces County, the discharge is not to a watershed of high priority per Appendix A of the USFWS biological opinion. The determination is subject to reevaluation due to subsequent updates or amendments to the biological opinion. The permit does not require EPA review with respect to the presence of endangered or threatened species.

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Impaired Water Bodies

Segment No. 2484 is currently listed on the State's inventory of impaired and threatened waters, the 2022 Clean Water Act Section 303(d) list. The list is for copper in water from US 181 to Viola Turning Basin (AU 2484_01).

The average daily average concentrations for total copper during past five years (2019-2024) is 0.0099 mg/L which is lower than 70% of recalculation water quality-based limit (0.039 mg/L). In addition, the application received on January 23, 2024 shows that the reported average concentration for total copper is 0.0067 mg/L which is much lower than 70% of recalculated water-quality limit. Therefore, this discharge is not expected to contribute to the impairment of copper in the segment.

Completed Total Maximum Daily Loads (TMDLs)

There are no completed TMDLs for Segment No. 2484.

C. TECHNOLOGY-BASED EFFLUENT LIMITATIONS/CONDITIONS1. GENERAL COMMENTS

Regulations in Title 40 of the Code of Federal Regulations (40 CFR) require that technology-based limitations be placed in wastewater discharge permits based on effluent limitations guidelines, where applicable, or on best professional judgment (BPJ) in the absence of guidelines.

The draft permit authorizes the discharge of treated process wastewater (including process wastewater from the pilot plant that will produce diesel and naphtha from carbon dioxide and hydrogen), utility wastewater (including utility wastewater from the pilot plant that will produce diesel and naphtha from carbon dioxide and hydrogen), water treatment waste, and stormwater at a daily average dry-weather flow not to exceed 0.478 million gallons per day (MGD) via Outfall 001 (Interim Phase); process wastewater (including process wastewater from the pilot plant that will produce diesel and naphtha from carbon dioxide and hydrogen, utility wastewater (including utility wastewater from the pilot plant that will produce diesel and naphtha from carbon dioxide and hydrogen), water treatment waste, and stormwater, and stormwater on an intermittent and flow-variable basis via Outfall 001 (Final Phase); and process wastewater, utility wastewater, water treatment waste, and stormwater at a daily average dry-weather flow not to exceed 0.478 MGD via Outfall 002.

The discharge of process wastewater and utility wastewater from the pilot plant via Outfalls 001 and 002 are not subject to federal effluent limitation guidelines and any technology-based effluent limitations are based on best professional judgment. The permittee did not request modifications to the existing effluent set based on the process wastewater and utility wastewater from the pilot plant; therefore, no changes were made to wastestreams from pilot plant in the permit action.

Outfall 001 Interim Phase

Outfall 001 interim phase is authorized to discharge treated process wastewater, utility wastewater, water treatment wastes, and stormwater. The technology-based effluent limitations for total suspended solids (TSS), sulfides, and pH in the existing permit were originally established based on BPJ using low volume waste

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guidelines under 40 CFR §423.12, which has been determined appropriate to regulate the treated process wastewater authorized for discharge under this permit. The effluent limitations for chemical oxygen demand (COD) and oil and grease were originally established based on BPJ using EPA's interim permitting approach for effluent limitations for stormwater permits. The report requirement for total residual chlorine was originally established based on BPJ. These limitations and monitoring requirements are continued based on anti-backsliding regulations found in 40 CFR §122.44 (l).

Outfall 001 Final Phase and Outfall 002

The permit authorizes the option to construct a pipeline to allow direct discharge of the combined treated process wastewater, utility wastewater, water treatment wastes, and stormwater to the Corpus Christi Inner Harbor (CCIH). Discharge to the CCIH would be through a submerged pipe outfall. If Outfall 002 begins operation, all facility wastewater up to a maximum flow of 800 gallons per minute (gpm) would be pumped from the Channel Weir Box through the new Outfall 002 and there would be no discharge from existing Outfall 001 unless the total facility effluent flow exceeds 800 gpm. If Outfall 002 is operating, discharges from Outfall 001 (final phase) will only occur during precipitation events that exceed 2.5 inches.

Information submitted with the application indicates that wastestreams discharged via Outfall 001 final phase and Outfall 002 are similar in nature to those authorized under existing Outfall 001 Interim Phase. Therefore, the technology-based effluent limitations for TSS, COD, oil and grease, sulfides, and pH and reporting requirements for total residual chlorine from Outfall 001 are proposed for Final Phase Outfall 001 and Outfall 002 based on BPJ.

Description of Generated Wastewater on Site

Water for industrial operations (industrial water) and potable water is supplied by the City of Corpus Christi O.N. Stevens Water Treatment Plant (PWS TX1780003). The hydrogen plant treats a portion of the purchased potable water with reverse osmosis to remove dissolved salts and produce water suitable for its processes.

Wastewater Treatment Plant (WWTP)

Process wastewater is routed into a common header leading to the Wastewater Depressurizing Tank. Water from the amine closed drain systems is sent to the amine sump. Process chemical areas (Sulferox Unit and Chemical Storage Areas) also drain to the chemical sump. The chemical sump is pumped to the Depressurizing Tank. Vapors from the Depressurizing Tank are sent to the plant flare. Water is pumped from the Depressurizing Tank through a level control valve to the top of the Wastewater Conditioning Column where it flows countercurrent to steam and air that are injected at the bottom of the column. The air is the stripping medium used to remove light hydrocarbons and ammonia from the wastewater. The air is routed to the facility flare. The water from the bottom of the column flows to the Process Drain Corrugated Plate Interceptor (CPI) Unit. The Process Drain CPI separates free oil from the wastewater. Wastewater from the CPI is pumped to the SBR Feed Water Tank. The separated waste oil in the oil sump of the CPI Unit is pumped to the Slop Oil Tank.

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Wastewater is pumped from the feed tank at a controlled rate into the Sequential Batch Reactors (SBR) for biological treatment. There are two SBR units that operate in parallel to allow continuous treatment and discharge of treated effluent. The treated effluent from the SBRs is sent through cartridge filters to the Wastewater Effluent Tank. Waste activated sludge (WAS) from the SBR units is sent to a sludge holding tank that is part of the biological solids management system. The WAS is dewatered in a dewatering box in a batch process and the solids are shipped off-site for disposal. The filtrate from the filter press is sent to the Wastewater Effluent Tank. Wastewater stored in the Wastewater Effluent Tank is discharged through Internal Outfall (IO) 101 to the Channel Weir Box where it combines with water from IO 201. The combined wastewaters are discharged through Outfall 001. It is noted that the IO 101 and 201 outfall identifications are Javelina designations and are not separately identified in the TPDES permit. The process flow diagram in the application uses these internal outfall designations for clarity.

Utility Water, RO Reject, and Stormwater

Utility water (cooling tower blowdown, boiler blowdown) and RO reject are directed to the Channel Weir Box through IO 201. Process area stormwater drains, containment areas, and the hydrogen plant area drain to the Stormwater Catch Basin. In the catch basin, oil is phase-separated from the wastewater and the water is pumped from the bottom to Outfall 001.

Sanitary Wastewater

This permit does not authorize the discharge of domestic wastewater. All domestic wastewater must be disposed of in an approved manner, such as routing to an approved on-site septic tank and drainfield system or to an authorized third party for treatment and disposal. Currently, sanitary (domestic) wastewater is sent to the City of Corpus Christi wastewater treatment facility (TPDES permit WQ0010401006).

HEP Javelina SMR, LLC (previous Air Products) Wastewaters

The HEP Javelina SMR, LLC (HEP SMR) hydrogen plant separates hydrogen from the refinery gases. The hydrogen plant is subject to the Inorganic Chemicals Effluent Limitations Guidelines (ELG) at 40 CFR Part 415, Subpart AO; however, the ELG is zero discharge of process wastewater, and the hydrogen plant does not discharge process wastewater to Outfall 001 (see Other Requirement No. 16 in the draft permit). Wastewater from HEP SMR is not subject to effluent guidelines at 40 CFR 437 (Centralized Waste Treatment) because the facility is not an off-site source (§437.2(n)). Wastewaters from the hydrogen plant are shown in the Figure 1 flow diagram in the application. The HEP SMR plant discharges RO reject water to the cooling tower as make-up and its boiler blowdown is routed to the HEP SMR oily water sump, then to Javelina's Stormwater Catch Basin or Depressurizing Tank.

Infinium Wastewaters

The Infinium Projects, LLC (Infinium) is a pilot plant on the Javelina plant site to evaluate a process that produce diesel and naphtha from carbon dioxide and hydrogen. The pilot plant is a "captured facility" and Javelina is responsible for treatment and disposal of its wastewaters. Javelina treats the pilot plant process

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wastewater in its biological treatment system and manages the pilot plant utility wastewater with Javelina's utility waters.

The majority of the carbon dioxide and hydrogen required by the Infinium pilot plant is provided by Javelina. In a second phase of the pilot plant process evaluation, an electrolysis system (electrolyzer) is on-site to produce hydrogen from electricity. Power for both the pilot plant and the future electrolyzer is supplied from grid-connected renewable power sources such as wind and solar. The pilot plant products are classified as other industrial chemicals (NAICS 325998, SIC 2819). The pilot plant process wastewater is not regulated by the Organic Chemicals, Plastics, and Synthetic Fibers (OCPSF) effluent limitations guidelines because the products are from pilot plant operations that are not conducted in conjunction with and related to existing OCPSF manufacturing activities at the plant site [40 CFR 414.11(b)]. There are no OCPSF manufacturing activities at the Javelina plant.

The Infinium pilot plant generates approximately 3,917 gallons per day (gpd) of process wastewater and 7,696 gpd of utility water (468 gpd in the first phase). Organic constituents in the pilot plant process wastewater are alcohols – methanol, ethanol, propanol, butanol, pentanol, hexanol, heptanol, and trace concentrations of longer-chain alcohols. The utility wastewater consists of boiler blowdown (458 gpd) and reverse osmosis reject water (7,228 gpd – electrolysis second phase) and is similar in composition to Javelina's existing utility wastewater discharge.

The pilot plant process wastewater is compatible with the Javelina plant wastewater and will be added to the system at the Wastewater Depressurizing Tank (the pilot plant wastewater is under pressure). The combined wastewater is steam/air stripped, sent to a corrugated plant interceptor (CPI), and then flows into the feed tank for the two sequencing biological reactors (SBR). The alcohols in the pilot plant wastewater are highly biodegradable with expected removals of essentially 100%. The pilot plant boiler blowdown and reverse osmosis reject water is combined with the Javelina utility wastewater.

2. CALCULATIONS

Technology-based effluent limitations for TSS, COD, oil and grease, sulfides, and pH and reporting requirements for total residual chlorine at Outfall 001 interim phase, Outfall 001 final phase, and Outfall 002 are continued from the existing permit.

The following technology-based effluent limitations are proposed in the draft permit:

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Outfall	Pollutant	Daily Avg.		Daily Max	
		lbs/day	mg/L	lbs/day	mg/L
Outfall 001 Interim Phase	TSS	120	30	399	100
	COD	598	150	798	200
	Oil and Grease	40	10	60	15
	TRC	Report	Report	Report	Report
	Sulfides	0.88	0.22	1.76	0.44
	pH	6.0 (min)		9.0 (max)	
Outfall 001 Final Phase	TSS	N/A	30	N/A	100
	COD	N/A	150	N/A	200
	Oil and Grease	N/A	10	N/A	15
	TRC	N/A	Report	N/A	Report
	Sulfides	N/A	0.22	N/A	0.44
	pH	6.0 (min)		9.0 (max)	
Outfall 002	TSS	120	30	399	100
	COD	598	150	798	200
	Oil and Grease	40	10	60	15
	TRC	Report	Report	Report	Report
	Sulfides	0.88	0.22	1.76	0.44
	pH	6.0 (min)		9.0 (max)	

3. 316(B) COOLING WATER INTAKE STRUCTURES

1. SCREENING

The facility obtains water from the City of Corpus Christi Public Water System Registration No. 1780003, for cooling purposes. According to the rules applicable to CWISs (40 CFR § 125.91(c)), the use of water from a public water system for cooling purposes does not constitute the use of a CWIS; therefore, the facility is not subject to CWA Section 316(b) or 40 CFR Part 125, Subpart J.

b. PERMIT ACTION

Existing Other Requirement No. 10 (Other Requirement No. 9 in the draft permit) has been continued in the draft permit requiring the permittee to provide written notification to the TCEQ of any change in the method by which the facility obtains water for cooling purposes.

D. WATER QUALITY-BASED EFFLUENT LIMITATIONS/CONDITIONS

1. GENERAL COMMENTS

The *Texas Surface Water Quality Standards* found at 30 TAC Chapter 307 state that surface waters will not be toxic to man from ingestion of water, consumption of aquatic organisms, or contact with the skin, or to terrestrial or aquatic life. The methodology outlined in the TCEQ guidance document *Procedures to Implement the Texas Surface Water Quality Standards* (IPs) is designed to ensure compliance with 30 TAC Chapter 307. Specifically, the methodology is

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designed to ensure that no source will be allowed to discharge any wastewater that (1) results in instream aquatic toxicity; (2) causes a violation of an applicable narrative or numerical state water quality standard; (3) results in the endangerment of a drinking water supply; or (4) results in aquatic bioaccumulation that threatens human health. Calculated water quality-based effluent limits can be found in Appendix A of this fact sheet.

TPDES permits contain technology-based effluent limits reflecting the best controls available. Where these technology-based permit limits do not protect water quality or the designated uses, additional water quality-based effluent limitations or conditions are included. State narrative and numerical water quality standards are used in conjunction with EPA criteria and other toxicity databases to determine the adequacy of technology-based permit limits and the need for additional water quality-based controls. A comparison of technology-based effluent limits and calculated water quality-based effluent limits can be found in Appendix C of this fact sheet.

2. AQUATIC LIFE CRITERIA

a. SCREENING

Water quality-based effluent limitations are calculated from freshwater and saltwater aquatic life criteria found in Table 1 of the *Texas Surface Water Quality Standards* (30 TAC Chapter 307).

Outfall 001 Interim Phase

There is no mixing zone or zone of initial dilution (ZID) for this discharge directly to the unnamed drainage ditch, an intermittent stream; acute freshwater criteria apply at the end of pipe. Acute and chronic marine criteria are applied in the concrete ditch (tidal).

For the intermittent stream, the percent effluent for acute protection of aquatic life is 100% because the seven-day, two-year low-flow (7Q2) of the intermittent stream is 0.0 cfs. TCEQ uses the EPA horizontal jet plume model to estimate dilutions for discharges into sections of bays, estuaries, and wide tidal rivers that are less than 400 feet wide (for this Outfall 001 interim phase the concrete ditch-tidal is 21 feet wide). General assumptions used in the horizontal jet plume model are a non-buoyant discharge, a submersed pipe, and no cross flow. Based on this analysis the following critical effluent percentages are calculated based on the two-year high daily flow of 0.478 MGD:

Acute Effluent % (stream)	100 %
Acute Effluent % (bay, estuary, or wide tidal river)	32 %
Chronic Effluent % (bay, estuary, or wide tidal river)	23%

Outfall 001 Final Phase

The percentage of effluent at the edge of the ZID is 3.4%. The ZID is defined as 60 feet downstream and 20 feet upstream from the point of discharge. Acute toxic criteria apply at the point of discharge. After the construction of Outfall 002, Outfall 001 Final Phase will discharge intermittently to an intermittent ditch, the unnamed drainage ditch,

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during storm events where rainfall is at least 2.5 inches. Based on the relative drainage areas and estimated runoff to Outfall 001 and the intermittent ditch, the discharge from Outfall 001 Final Phase is 3.4% of the total flow in the intermittent ditch when a discharge occurs. Only acute aquatic life criteria are applied to the discharge of Outfall 001 Final Phase based on the intermittent nature of the discharge; thus, a dilution percentage is not calculated for the chronic aquatic life mixing zone.

Outfall 002

Acute marine criteria are applied at the edge of the ZID, and chronic marine criteria are applied at the edge of the aquatic life mixing zone. The ZID for this discharge is defined as a radius of 50 feet from the point where the discharge enters Corpus Christi Inner Harbor. The chronic aquatic life mixing zone for this discharge is defined as a radius of 200 feet from the point where the discharge enters Corpus Christi Inner Harbor.

TCEQ practice is to establish minimum estimated effluent percentages at the edges of the ZID and aquatic life mixing zone for discharges that are 10 MGD or less into bays, estuaries, or wide tidal rivers that are at least 400 feet wide. These critical effluent percentages are as follows:

Acute Effluent %	30%	Chronic Effluent %	8%
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General Screening Procedures

Wasteload allocations (WLAs) are calculated using the above estimated effluent percentages, criteria outlined in the *Texas Surface Water Quality Standards*, and partitioning coefficients for metals (when appropriate and designated in the implementation procedures). The WLA is the end-of-pipe effluent concentration that can be discharged when, after mixing in the receiving stream, the instream numerical criteria will not be exceeded.

From the WLA, a long-term average (LTA) is calculated using a lognormal probability distribution, a given coefficient of variation (0.6), and a 99th percentile confidence level. The LTA is the long-term average effluent concentration for which the WLA will never be exceeded using a selected percentile confidence level.

The lower of the two LTAs (acute and chronic) is used to calculate a daily average and daily maximum effluent limitation for the protection of aquatic life using the same statistical considerations with the 99th percentile confidence level and a standard number of monthly effluent samples collected (12).

Assumptions used in deriving the effluent limitations include the segment-specific value for TSS according to the *IPs*. The segment value is 9 mg/L for TSS. For additional details on the calculation of water quality-based effluent limitations, refer to the *IPs*. This discharge is into a freshwater body that flows into a saltwater segment. Therefore, data from a representative freshwater segment is recommended for screening the freshwater portion of the discharge route. The Segment No. 2102 values for pH (7.9 SU), TSS (10 mg/L), hardness (164 mg/L), and chloride (118

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mg/L) have been used for the evaluation of the immediate receiving waters.

TCEQ practice for determining significant potential is to compare the reported analytical data against percentages of the calculated daily average water quality-based effluent limitation. Permit limitations are required when analytical data reported in the application equals or exceeds 85 percent of the calculated daily average water quality-based effluent limitation. Monitoring and reporting is required when analytical data reported in the application equals or exceeds 70 percent of the calculated daily average water quality-based effluent limitation.

A site-specific water-effect-ratio of 4.13 for total copper was used based on 30 TAC §307.10(5).

b. PERMIT ACTION

Analytical data reported in the application was screened against calculated water quality-based effluent limitations for the protection of aquatic life. Reported analytical data does not exceed 70 percent of the calculated daily average water quality-based effluent limitation for aquatic life protection. No additional limits or monitoring and reporting requirements have been added to the draft permit in accordance with 30 TAC § 307.2(f).

The reported data for free cyanide (25.6 ug/L) exceeds 85% of calculated water quality-based limits at Outfall 002. Therefore, the free cyanide has been proposed at Outfall 002 in the draft permit. A three-year also has been proposed to provide time for compliance.

The limits in the existing permit were compared to the calculated water quality-based effluent limits to determine whether the existing limits are still protective.

The applicant submitted reports (included in Attachment T-2 of the permit application technical report and supplementary information on September 17, 2025 for screening study report for warmer month) to justify site-specific dilution factors of 32% for the zone of initial dilution (ZID) and 23% for the chronic aquatic life mixing zone for Outfall 001 interim phase. The report incorporates data on water depth, salinity, specific conductivity, and temperature collected at multiple locations downstream of Outfall 001 during the interim phase. According to the report, the applicant utilized salinity data to conduct mass balance calculations to derive the site-specific dilution values for the ZID and chronic aquatic life mixing zones in the tidal portion of the ditch. The applicant proposed a dilution factor of 32% for the ZID (represented by Location 2, where the tidal portion of the ditch begins) and 23% for the chronic aquatic life mixing zone (represented by Location 3, approximately 600 feet downstream of Location 2).

The reports have been reviewed and accepted by Water Quality Assessment Team with an updated memo dated January 23, 2026. As a

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result, the site-specific effluent dilution percentages of 23% for chronic aquatic life and 32% for acute aquatic life were adopted to calculate the Water Quality-based Effluent limitations (WQBELs) in the draft permit.

Based on the newly calculated WQBELs, the following effluent limitations are proposed in the draft permit for total copper, total selenium, total zinc, and free cyanide at Outfall 001 interim phase:

Pollutant	Proposed limitations (mg/L)	
	Daily Avg.	Daily Max.
Total Copper	0.055	0.12
Total Selenium ¹	0.017	0.036
Total Zinc	0.23	0.48
Free Cyanide	0.0082	0.017

¹ The newly calculated effluent limits for total selenium are just as stringent as the existing ones; any minor discrepancies are due to numerical rounding. For consistency, these values have been rounded to two decimal places.

Outfall 001 Final Phase

No analytical data is available for screening against water quality-based effluent limitations because the quality of discharge via Outfall 001 following activation of Outfall 002 will likely be significantly different based on restriction of discharge only authorized following 2.5 inches of rainfall or greater and significant dilution caused by stormwater runoff. Other Requirement No. 13 is proposed for retesting requirements for discharge from Outfall 001 Final Phase.

Outfall 002

Analytical data reported in the application for Outfall 001 interim phase is believed to be representative of Outfall 002’s future discharge. The data was screened against calculated water quality-based effluent limitations for the protection of aquatic life. Reported analytical data for free cyanide exceed 85 percent of the calculated daily average water quality-based effluent limitation for aquatic life protection. The water quality-based limits for free cyanide have been added at Outfall 002 in the draft permit. However, because of concerns at existing Outfall 001 interim phase regarding total copper, total selenium, total zinc, and free cyanide, the draft permit continues monitoring and reporting requirements for total copper, total selenium and total zinc at Outfall 002 that are set to self-expire upon the expiration of this permit. Once the self-reported data is reviewed, it will be determined if effluent limits for total copper, total selenium, and total zinc at Outfall 002 are needed.

3. WHOLE EFFLUENT TOXICITY (BIOMONITORING) CRITERIA

a. SCREENING AND REASONABLE POTENTIAL ANALYSIS

The existing permit includes chronic saltwater biomonitoring requirements at Outfall 001 interim phase and Outfall 002.

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The WET limits at Outfall 001 (interim phase) have been revised to reflect the site-specific critical dilution. Based on the special agreement between TCEQ and EPA Region 6, when the critical dilution is greater than 80%, both lethal and sublethal WET limits are included in permits that require WET limits. When the critical dilution is less than 80%, only the sublethal WET limit is required because it is the more stringent requirement. Therefore, the sublethal whole effluent toxicity (WET) limits are retained for both test species for Outfall 001 interim phase until the treated process wastewater is redirected to Outfall 002. With WET limits already in effect, no RP was performed. Because of the numerous WET limit violations, neither test species is eligible for the testing frequency reduction. The limits are amended to 23% for sublethal WET limits based on the approval of site-specific dilution for aquatic life.

When the permittee redirects the discharge of treated process wastewater from Outfall 001 to Outfall 002, the sublethal WET limits are at the critical dilution of 8%. The critical dilution for Outfall 001 interim phase is 23% (site-specific dilution). The limits become effective at the time of initial discharge.

b. PERMIT ACTION

The provisions of this section apply to Outfall 001 interim phase and Outfall 002.

Based on information contained in the permit application, the TCEQ has determined that there may be pollutants present in the effluent(s) that may have the potential to cause toxic conditions in the receiving stream.

Whole effluent toxicity testing (biomonitoring) is the most direct measure of potential toxicity, which incorporates the effects of synergism of effluent components and receiving stream water quality characteristics. Biomonitoring of the effluent is, therefore, required as a condition of this permit to assess potential toxicity. The biomonitoring procedures stipulated as a condition of this permit are as follows:

- i) Chronic static renewal 7-day survival and growth test using the mysid shrimp (*Americamysis bahia*). The frequency of the testing shall be once per quarter.
- ii) Chronic static renewal 7-day larval survival and growth test using the inland silverside (*Menidia beryllina*). The frequency of the testing shall be once per quarter.

Toxicity tests shall be performed in accordance with protocols described in *Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms*, Third Edition (EPA-821-R-02-014) or the latest revision. The stipulated test species are appropriate to measure the toxicity of the effluent consistent with the requirements of the state water quality standards. The biomonitoring frequency has been established to reflect the likelihood of

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ambient toxicity and to provide data representative of the toxic potential of the facility's discharge.

This permit may be reopened to require effluent limits, additional testing, or other appropriate actions to address toxicity if biomonitoring data show actual or potential ambient toxicity to be the result of the permittee's discharge to the receiving stream or water body.

c. DILUTION SERIES

For Outfall 001 interim phase

The permit requires five (5) dilutions in addition to the control (0% effluent) to be used in the toxicity tests. These additional effluent concentrations shall be 23%, 42%, 56%, 80%, and 100%. The low-flow effluent concentration (critical dilution) is defined as 23% effluent.

For Outfall 002

The permit requires five (5) dilutions in addition to the control (0% effluent) to be used in the toxicity tests. These additional effluent concentrations shall be 3%, 5%, 6%, 8%, and 11%. The low-flow effluent concentration (critical dilution) is defined as 8% effluent.

The dilution series outlined above was calculated using a 0.75 factor applied to the critical dilution. The critical dilution is the estimated effluent dilution at the edge of the aquatic life mixing zone, which is discussed in Section X.D.2.a. of this fact sheet.

4. AQUATIC ORGANISM TOXICITY CRITERIA (24-HOUR ACUTE)

a. SCREENING

The existing permit includes 24-hour acute marine biomonitoring requirements for Outfalls 001 (interim phase) and 002. For Outfall 001 (interim phase), in the past three years, the permittee has performed five 24-hour acute tests with the inland silverside, with zero demonstrations of significant mortality. The 24-hour acute WET limit for the mysid shrimp is retained for both outfalls and will expire for Outfall 001 once the treated process wastewater is redirected to Outfall 002, at which time it will become effective for Outfall 002. For Outfall 002, Outfall 002 has yet to be constructed and will receive the redirected flow of treated process wastewater that had gone to Outfall 001. Minimum 24-hour acute marine biomonitoring requirements are proposed in the draft permit as outlined below.

b. PERMIT ACTION

Twenty-four-hour 100% acute biomonitoring tests are required at Outfall 001 interim phase and Outfall 002 at a frequency of once per six months for the life of the permit. This toxicity testing requirement is derived from the information submitted with the application.

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The biomonitoring procedures stipulated as a condition of this permit are as follows:

- i) Acute 24-hour static toxicity test using the mysid shrimp (*Americamysis bahia*). A minimum of five (5) replicates with eight (8) organisms per replicate shall be used for this test.
- ii) Acute 24-hour static toxicity test using the inland silverside (*Menidia beryllina*). A minimum of five (5) replicates with eight (8) organisms per replicate shall be used for this test.

Toxicity tests shall be performed in accordance with protocols described in *Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms*, Fifth Edition (EPA-821-R-02-012) or the latest revision.

5. AQUATIC ORGANISM BIOACCUMULATION CRITERIAa. SCREENING

Water quality-based effluent limitations for the protection of human health are calculated using criteria for the consumption of fish tissue found in Table 2 of the *Texas Surface Water Quality Standards* (30 TAC Chapter 307).

Outfall 001 Interim Phase

Fish tissue bioaccumulation criteria are applied in the bay, estuary, or wide tidal river for a discharge to an intermittent stream that enters a bay, estuary, or wide tidal river within 3 miles downstream of the discharge point (for this Outfall 001 Interim Phase is the concrete ditch-tidal). TCEQ uses the EPA horizontal jet plume model to estimate dilution for discharges into sections of bays, estuaries, or wide tidal rivers that are less than 400 feet wide (width of concrete ditch is 21 feet). General assumptions used in the horizontal jet plume model are a non-buoyant discharge, a submersed pipe, and no cross flow. Based on this analysis, the following critical effluent percentage is calculated based on the permitted daily average flow of 0.478 MGD.

Human Health Effluent %: 4%

Outfall 001 Final Phase

The Critical Conditions Recommendation Interoffice Memorandum dated January 23, 2026 did not recommend a human health effluent percentage to the intermittent discharge via Outfall 001 Final Phase. Therefore, no critical effluent percentage was calculated.

Outfall 002

Fish tissue bioaccumulation criteria are applied at the edge of the human health mixing zone for discharges into bays, estuaries and wide tidal rivers. The human health mixing zone for this discharge is defined as a 400-foot radius from the point where the discharge enters Corpus Christi Inner Harbor. TCEQ practice is to establish a minimum estimated

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effluent percentage at the edge of the human health mixing zone for discharges that are 10 MGD or less into bays, estuaries, and wide tidal rivers that are at least 400 feet wide. This critical effluent percentage is:

Human Health Effluent %: 4%

Water quality-based effluent limitations for human health protection against the consumption of fish tissue are calculated using the same procedure as outlined for calculation of water quality-based effluent limitations for aquatic life protection. A 99th percentile confidence level in the long-term average calculation is used, with only one long-term average value being calculated.

Significant potential is again determined by comparing reported analytical data against 70 percent and 85 percent of the calculated daily average water quality-based effluent limitation.

b. PERMIT ACTION

Analytical data reported in the application for Outfall 001 Interim Phase is also believed to be representative of the proposed Outfall 002. Analytical data reported in the application was screened against calculated water quality-based effluent limitations for the protection of human health for both outfalls, 001 Interim Phase and 002. Reported analytical data does not exceed 70 percent of the calculated daily average water quality-based effluent limitation for human health protection. No additional limits or monitoring and reporting requirements have been added to the draft permit.

6. DRINKING WATER SUPPLY PROTECTION

a. SCREENING

Segment No. 2484, which receives the discharge from this facility, is not designated as a public water supply. Screening reported analytical data of the effluent against water quality-based effluent limitations calculated for the protection of a drinking water supply is not applicable.

b. PERMIT ACTION

None.

7. TOTAL DISSOLVED SOLIDS, CHLORIDE, AND SULFATE STANDARDS PROTECTION

a. SCREENING

Segment No. 2484, which receives the discharges from this facility, does not have criteria established for TDS, chloride, or sulfate in 30 TAC Chapter 307; therefore, no screening was performed for TDS, chloride, or sulfate in the effluent.

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b. PERMIT ACTION

None.

8. PROTECTION OF pH STANDARDSa. SCREENING

The existing permit includes pH limits of 6.0 – 9.0 SU at Outfall 001 (interim and final phases), which ultimately discharges into Corpus Christi Inner Harbor, Segment No. 2484. Consistent with the procedures for pH screening that were submitted to EPA with a letter dated May 28, 2014, and approved by EPA in a letter dated June 2, 2014, requiring a discharge to an unclassified water body to meet pH limits of 6.0 – 9.0 standard units reasonably ensures instream compliance with Texas Surface Water Quality Standards pH criteria. Screening was performed for the proposed Outfall 002 to ensure that direct discharges will not cause a violation of the 6.5-9.0 SU pH criteria for Corpus Christi Inner Harbor (see Appendix B).

b. PERMIT ACTION

The pH effluent limits of 6.0 – 9.0 SU at Outfall 001 (interim and final phases) and Outfall 002 are adequate to ensure that the discharge will not violate the pH criteria in Corpus Christi Inner Harbor.

9. DISSOLVED OXYGEN PROTECTIONa. SCREENING

A dissolved oxygen analysis of the discharges was conducted using uncalibrated QUAL-TX models. Based on model results, the existing permitted effluent set of 15 mg/L CBOD₅ and 3 mg/L Ammonia-Nitrogen is predicted to be adequate to ensure that the dissolved oxygen level in the receiving waters will be maintained above the criteria, which is 2 mg/L for the unnamed and concrete ditches and 3.0 mg/L for the tidal ditch and Segment No. 2484. This level of treatment is predicted to be satisfactory for both Outfall 001 interim phase and Outfall 002.

After activation of Outfall 002, Outfall 001 will serve as a highly intermittent discharge and only occur during precipitation events that exceed 2.5 inches. Due to the highly intermittent discharge from 001 (post Outfall 002 activation) coupled with the elevated flows expected in the receiving waters at the time of discharge, no significant negative dissolved oxygen depletion is anticipated in the receiving waters under these conditions.

Coefficients and kinetics used in the model are a combination standardized default and estimated values. The results of this evaluation can be reexamined upon receipt of information which conflicts with the assumptions employed in this analysis.

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b. PERMIT ACTION

The existing 15 mg/L CBOD₅ and 3 mg/L Ammonia-Nitrogen effluent limitations have been continued at Outfall 001 interim phase and Outfall 002.

XI. PRETREATMENT REQUIREMENTS

This facility is not defined as a publicly owned treatment works. Pretreatment requirements are not proposed in the draft permit.

XII. VARIANCE REQUESTS

No variance requests have been received.

XIII. PROCEDURES FOR FINAL DECISION

When an application is declared administratively complete, the Chief Clerk sends a letter to the applicant advising the applicant to publish the Notice of Receipt of Application and Intent to Obtain Permit in the newspaper. In addition, the Chief Clerk instructs the applicant to place a copy of the application in a public place for reviewing and copying in the county where the facility is or will be located. This application will be in a public place throughout the comment period. The Chief Clerk also mails this notice to any interested persons and, if required, to landowners identified in the permit application. This notice informs the public about the application and provides that an interested person may file comments on the application or request a contested case hearing or a public meeting.

Once a draft permit is completed, it is sent, along with the Executive Director's preliminary decision, as contained in the technical summary or fact sheet, to the Chief Clerk. At that time, the Notice of Application and Preliminary Decision will be mailed to the same people and published in the same newspaper as the prior notice. This notice sets a deadline for making public comments. The applicant must place a copy of the Executive Director's preliminary decision and draft permit in the public place with the application.

Any interested person may request a public meeting on the application until the deadline for filing public comments. A public meeting is intended for the taking of public comment and is not a contested case proceeding.

After the public comment deadline, the Executive Director prepares a response to all significant public comments on the application or the draft permit raised during the public comment period. The Chief Clerk then mails the Executive Director's response to comments and final decision to people who have filed comments, requested a contested case hearing, or requested to be on the mailing list. This notice provides that if a person is not satisfied with the Executive Director's response and decision, they can request a contested case hearing or file a request to reconsider the Executive Director's decision within 30 days after the notice is mailed.

The Executive Director will issue the permit unless a written hearing request or request for reconsideration is filed within 30 days after the Executive Director's response to comments and final decision is mailed. If a hearing request or request for reconsideration is filed, the Executive Director will not issue the permit and will forward the application and request to the TCEQ

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commissioners for their consideration at a scheduled commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

If the Executive Director calls a public meeting or the commission grants a contested case hearing as described above, the commission will give notice of the date, time, and place of the meeting or hearing. If a hearing request or request for reconsideration is made, the commission will consider all public comments in making its decision and shall either adopt the Executive Director's response to public comments or prepare its own response.

For additional information about this application, contact Ruiqiang Zong at (512) 239-4589.

XIV. ADMINISTRATIVE RECORD

The following section is a list of the fact sheet citations to applicable statutory or regulatory provisions and appropriate supporting references.

A. PERMIT(S)

TPDES Permit No. WQ0003137000 issued on November 16, 2023.

B. APPLICATION

TPDES wastewater permit application received on January 23, 2024 and additional information received on September 27, 2024.

C. 40 CFR CITATION(S)

N/A.

D. LETTERS/MEMORANDA/RECORDS OF COMMUNICATION

Letter dated May 28, 2014, from L'Oreal W. Stepney, P.E., Deputy Director, Office of Water, TCEQ, to Bill Honker, Director, Water Quality Protection Division, EPA (TCEQ proposed development strategy for pH evaluation procedures).

Letter dated June 2, 2014, from William K. Honker, P.E., Director, Water Quality Protection Division, EPA, to L'Oreal W. Stepney, P.E., Deputy Director, Office of Water, TCEQ (Approval of TCEQ proposed development strategy for pH evaluation procedures).

Letter dated December 28, 2015, from L'Oreal Stepney, P.E., Deputy Director, Office of Water, TCEQ, to Bill Honker, Director, Water Quality Protection Division, EPA (TCEQ proposed development strategy for procedures to determine reasonable potential for whole effluent toxicity limitations).

Letter dated December 28, 2015, from William K. Honker, P.E., Director, Water Quality Protection Division, EPA, to L'Oreal W. Stepney, P.E., Deputy Director, Office of Water, TCEQ (Approval of TCEQ proposed development strategy for procedures to determine reasonable potential for whole effluent toxicity limitations).

TCEQ Interoffice Memorandum dated April 19, 2024, from M. A. Wallace Ph.D. of the Standards Implementation Team, Water Quality Assessment Section, to the Industrial Permits Team, Wastewater Permitting Section (Standards Memo).

FACT SHEET AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

TCEQ Interoffice Memorandum dated December 11, 2024, from Josi Robertson of the Water Quality Assessment Team, Water Quality Assessment Section, to the Industrial Permits Team, Wastewater Permitting Section (Critical Conditions Memo).

TCEQ Interoffice Memorandum dated June 5, 2024, from Xing, P.E. of the Water Quality Assessment Team, Water Quality Assessment Section, to the Industrial Permits Team, Wastewater Permitting Section (Modeling Memo).

TCEQ Interoffice Memorandum dated February 23, 2026, from Michael B. Pfeil of the Standards Implementation Team, Water Quality Assessment Section, to the Industrial Permits Team, Wastewater Permitting Section (Biomonitoring Memo).

Electronic mail Letter dated September 27, 2024, from Dennis Williams, Howard Energy Partners, Environmental Specialist to Matthew Kennington of the Industrial Permits Team, Industrial Wastewater Section, for minimal analytical level for free cyanide.

Electronic mail letter dated September 17, 2025, from Dennis Williams, Howard Energy Partners, Environmental Specialist to Sarah Musgrove, Water Quality Assessment Team, Water Quality Assessment Section, for additional information for receiving water screening study report.

E. MISCELLANEOUS

The State of Texas 2022 Integrated Report – Texas 303(d) List (Category 5), TCEQ, July 7, 2022.

Texas Surface Water Quality Standards, 30 TAC §§307.1 - 307.10, TCEQ, effective March 1, 2018, as approved by EPA Region 6.

Texas Surface Water Quality Standards, 30 TAC §§307.1 - 307.10, TCEQ, effective March 6, 2014, as approved by EPA Region 6, for portions of the 2018 standards not approved by EPA Region 6.

Texas Surface Water Quality Standards, 30 TAC §§307.1 - 307.10, TCEQ, effective July 22, 2010, as approved by EPA Region 6, for portions of the 2014 standards not yet approved by EPA Region 6.

Texas Surface Water Quality Standards, 30 TAC §§307.1 - 307.10, TCEQ, effective August 17, 2000, and Appendix E, effective February 27, 2002, for portions of the 2010 standards not yet approved by EPA Region 6.

Short-Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Waters to Marine and Estuarine Organisms, Third Edition (EPA-821-R-02-014).

Methods for Measuring the Acute Toxicity of Effluents and Receiving Waters to Freshwater and Marine Organisms, Fifth Edition (EPA-821-R-02-012).

Procedures to Implement the Texas Surface Water Quality Standards, TCEQ, June 2010, as approved by EPA Region 6.

Procedures to Implement the Texas Surface Water Quality Standards, TCEQ, January 2003, for portions of the 2010 IPs not approved by EPA Region 6.

Guidance Document for Establishing Monitoring Frequencies for Domestic and Industrial Wastewater Discharge Permits, TCEQ Document No. 98-001.000-OWR-WQ, May 1998.

FACT SHEET AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

Appendix A
Calculated Water Quality-Based Effluent Limits

TEXTOX MENU #10 - INTERMITTENT FRESHWATER STREAM WITHIN 3 MILES OF A BAY OR WIDE TIDAL RIVER

The water quality-based effluent limitations developed below are calculated using:

Table 1, 2014 Texas Surface Water Quality Standards (30 TAC 307) for Freshwater and Saltwater Aquatic Life

Table 2, 2018 Texas Surface Water Quality Standards for Human Health

"Procedures to Implement the Texas Surface Water Quality Standards," TCEQ, June 2010

PERMIT INFORMATION

Permittee Name:	HEP Javelina Company, LLC
TPDES Permit No:	WQ0003137000
Outfall No:	Outfall 001 interim phase
Prepared by:	RUIQIANG ZONG
Date:	2/13/2026

DISCHARGE INFORMATION

<i>Intermittent Receiving Waterbody:</i>	An unnamed drainage ditch
Segment No. for Freshwater Ambient Data:	2102
TSS (mg/L) (Intermittent):	10
pH (Standard Units) (Intermittent):	7.9
Hardness (mg/L as CaCO ₃) (Intermittent):	164
Chloride (mg/L) (Intermittent):	118
Effluent Flow for Aquatic Life (MGD):	0.478
% Effluent for Acute Aquatic Life (Intermittent):	100
<i>Saltwater Receiving Waterbody:</i>	Corpus Christi Inner Harbor
Segment No.:	2484
TSS (mg/L) (Bay/Tidal River):	9
% Effluent for Chronic Aquatic Life (Bay/Tidal River):	23
% Effluent for Acute Aquatic Life (Bay/Tidal River):	32
Oyster Waters?	no
Effluent Flow for Human Health (MGD):	0.23
% Effluent for Human Health (Bay/Tidal River):	4

CALCULATE DISSOLVED FRACTION (AND ENTER WATER EFFECT RATIO IF APPLICABLE):

<i>Stream/River Metal</i>	<i>Intercept (b)</i>	<i>Slope (m)</i>	<i>Partition Coefficient (Kp)</i>	<i>Dissolved Fraction (Cd/Ct)</i>	<i>Source</i>	<i>Water Effect Ratio (WER)</i>	<i>Source</i>
Aluminum	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Arsenic	5.68	-0.73	89125.09	0.529		1.00	Assumed
Cadmium	6.60	-1.13	295120.92	0.253		1.00	Assumed
Chromium (total)	6.52	-0.93	389045.14	0.204		1.00	Assumed
Chromium (trivalent)	6.52	-0.93	389045.14	0.204		1.00	Assumed
Chromium (hexavalent)	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Copper	6.02	-0.74	190546.07	0.344		1.00	Assumed
Lead	6.45	-0.80	446683.59	0.183		1.00	Assumed
Mercury	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Nickel	5.69	-0.57	131825.67	0.431		1.00	Assumed
Selenium	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Silver	6.38	-1.03	223872.11	0.309		1.00	Assumed
Zinc	6.10	-0.70	251188.64	0.285		1.00	Assumed

<i>Estuarine Metal</i>	<i>Intercept (b)</i>	<i>Slope (m)</i>	<i>Partition Coefficient (Kp)</i>	<i>Dissolved Fraction (Cd/Ct)</i>	<i>Source</i>	<i>Water Effect Ratio (WER)</i>	<i>Source</i>
Aluminum	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Arsenic	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed

FACT SHEET AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

<i>Estuarine Metal</i>	<i>Intercept (b)</i>	<i>Slope (m)</i>	<i>Partition Coefficient (Kp)</i>	<i>Dissolved Fraction (Cd/Ct)</i>	<i>Source</i>	<i>Water</i>	
						<i>Effect Ratio (WER)</i>	<i>Source</i>
Cadmium	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Chromium (total)	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Chromium (trivalent)	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Chromium (hexavalent)	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
							30
Copper	4.85	-0.72	14552.76	0.884		4.13	TAC§307
Lead	6.06	-0.85	177375.60	0.385		1.00	Assumed
Mercury	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Nickel	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Selenium	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Silver	5.86	-0.74	142514.99	0.438		1.00	Assumed
Zinc	5.36	-0.52	73079.22	0.603		1.00	Assumed

FACT SHEET AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

AQUATIC LIFE

CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT

LIMITATIONS:

<i>Parameter</i>	<i>FW Acute Criterion (µg/L)</i>	<i>SW Acute Criterion (µg/L)</i>	<i>SW Chronic Criterion (µg/L)</i>	<i>FW WLAa (µg/L)</i>	<i>SW WLAa (µg/L)</i>	<i>SW WLAc (µg/L)</i>	<i>FW LTAa (µg/L)</i>	<i>SW LTAa (µg/L)</i>	<i>SW LTAc (µg/L)</i>	<i>Daily Avg. (µg/L)</i>	<i>Daily Max. (µg/L)</i>
Aldrin	3.0	1.3	N/A	3.0	4.06	N/A	1.72	1.30	N/A	1.91	4.04
Aluminum	991	N/A	N/A	991	N/A	N/A	568	N/A	N/A	835	1766
Arsenic	340	149	78	643	466	339	368	149	207	219	463
Cadmium	13.9	40.0	8.75	54.8	125	38	31.4	40.0	23.2	34.1	72.2
Carbaryl	2.0	613	N/A	2.0	1915.63	N/A	1.15	613.00	N/A	1.68	3.56
Chlordane	2.4	0.09	0.004	2.4	0.281	0.017	1.38	0.090	0.011	0.016	0.033
Chlorpyrifos	0.083	0.011	0.006	0.083	0.034	0.026	0.048	0.011	0.016	0.016	0.034
Chromium (trivalent)	854	N/A	N/A	4178	N/A	N/A	2394	N/A	N/A	3519	7446
Chromium (hexavalent)	15.7	1090	49.6	15.7	3406	216	9.00	1090	132	13.2	28.0
Copper	22.6	55.755	14.868	65.8	197.1	73.1	37.7	63.1	44.6	55.4	117.2
Copper (oyster waters)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Cyanide (free)	45.8	5.6	5.6	45.8	17.5	24.3	26.2	5.60	14.9	8.23	17.4
4,4'-DDT	1.1	0.13	0.001	1.1	0.406	0.004	0.630	0.130	0.0027	0.004	0.008
Demeton	N/A	N/A	0.1	N/A	N/A	0.43	N/A	N/A	0.265	0.39	0.82
Diazinon	0.17	0.819	0.819	0.17	2.56	3.6	0.097	0.819	2.17	0.143	0.303
Dicofol [Kelthane]	59.3	N/A	N/A	59.3	N/A	N/A	34.0	N/A	N/A	49.9	106
Dieldrin	0.24	0.71	0.002	0.24	2.22	0.009	0.138	0.710	0.005	0.008	0.016
Diuron	210	N/A	N/A	210	N/A	N/A	120.330	N/A	N/A	176.885	374.226
Endosulfan I (<i>alpha</i>)	0.22	0.034	0.009	0.22	0.106	0.039	0.126	0.034	0.024	0.035	0.074
Endosulfan II (<i>beta</i>)	0.22	0.034	0.009	0.22	0.106	0.039	0.126	0.034	0.024	0.035	0.074
Endosulfan sulfate	0.22	0.034	0.009	0.22	0.106	0.039	0.126	0.034	0.024	0.035	0.074
Endrin	0.086	0.037	0.002	0.086	0.116	0.009	0.049	0.037	0.005	0.008	0.016
Guthion [Azinphos Methyl]	N/A	N/A	0.01	N/A	N/A	0.043	N/A	N/A	0.027	0.039	0.082
Heptachlor	0.52	0.053	0.004	0.52	0.166	0.017	0.298	0.053	0.011	0.016	0.033
Hexachlorocyclohexane (<i>gamma</i>) [Lindane]	1.126	0.16	N/A	1.126	0.500	N/A	0.645	0.160	N/A	0.235	0.498
Lead	110	133	5.3	602	1079	60	345	345	36	54	114
Malathion	N/A	N/A	0.01	N/A	N/A	0.043	N/A	N/A	0.027	0.039	0.082
Mercury	2.4	2.1	1.1	2.4	6.56	4.8	1.38	2.10	2.92	2.02	4.28
Methoxychlor	N/A	N/A	0.03	N/A	N/A	0.130	N/A	N/A	0.080	0.117	0.247
Mirex	N/A	N/A	0.001	N/A	N/A	0.004	N/A	N/A	0.0027	0.004	0.008
Nickel	712	118	13.1	1650	369	57	945	118	34.7	51	108
Nonylphenol	28	7	1.7	28	21.9	7.4	16.0	7.00	4.5	6.6	14.0
Parathion (ethyl)	0.065	N/A	N/A	0.065	N/A	N/A	0.037	N/A	N/A	0.055	0.116
Pentachlorophenol	21.6	15.1	9.6	21.6	47.2	42	12.3	15.1	25.5	18.2	38.4
Phenanthrene	30	7.7	4.6	30	24.1	20.0	17.2	7.70	12.2	11.3	23.9
Polychlorinated Biphenyls [PCBs]	2.0	10	0.03	2.0	31.3	0.130	1.15	10.0	0.080	0.117	0.247
Selenium	20	564	136	20	1763	591	11.5	564	361	16.8	35.6
Silver	0.8	2	N/A	24.91	14.3	N/A	14.27	4.57	N/A	6.71	14.2

FACT SHEET AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

AQUATIC LIFE

CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT

LIMITATIONS:

<i>Parameter</i>	<i>FW Acute Criterion (µg/L)</i>	<i>SW Acute Criterion (µg/L)</i>	<i>SW Chronic Criterion (µg/L)</i>	<i>FW WLA_a (µg/L)</i>	<i>SW WLA_a (µg/L)</i>	<i>SW WLA_c (µg/L)</i>	<i>FW LTA_a (µg/L)</i>	<i>SW LTA_a (µg/L)</i>	<i>SW LTA_c (µg/L)</i>	<i>Daily Avg. (µg/L)</i>	<i>Daily Max. (µg/L)</i>
Toxaphene	0.78	0.21	0.0002	0.78	0.656	0.0009	0.447	0.210	0.0005	0.0008	0.0016
Tributyltin [TBT]	0.13	0.24	0.0074	0.13	0.750	0.032	0.074	0.240	0.020	0.029	0.061
2,4,5 Trichlorophenol	136	259	12	136	809	52	77.9	259	31.8	47	99
Zinc	178	92.7	84.2	626	480	607	359	154	370	226	478

FACT SHEET AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

HUMAN HEALTH

CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS:

<i>Parameter</i>	<i>Fish Only Criterion (µg/L)</i>	<i>WLAh (µg/L)</i>	<i>LTAh (µg/L)</i>	<i>Daily Avg. (µg/L)</i>	<i>Daily Max. (µg/L)</i>
Acrylonitrile	115	160	149	218	462
Aldrin	1.147E-05	1.59E-05	1.48E-05	2.18E-05	4.61E-05
Anthracene	1317	1829	1701	2501	5290
Antimony	1071	1488	1383	2034	4302
Arsenic	N/A	N/A	N/A	N/A	N/A
Barium	N/A	N/A	N/A	N/A	N/A
Benzene	581	807	750	1103	2334
Benzidine	0.107	0.15	0.14	0.20	0.43
Benzo(a)anthracene	0.025	0.035	0.032	0.047	0.10
Benzo(a)pyrene	0.0025	0.003	0.003	0.005	0.010
Bis(chloromethyl)ether	0.2745	0.38	0.35	0.52	1.1
Bis(2-chloroethyl)ether	42.83	59	55	81	172
Bis(2-ethylhexyl) phthalate [Di(2-ethylhexyl) phthalate]	7.55	10	10	14	30
Bromodichloromethane [Dichlorobromomethane]	275	382	355	522	1105
Bromoform [Tribromomethane]	1060	1472	1369	2013	4258
Cadmium	N/A	N/A	N/A	N/A	N/A
Carbon Tetrachloride	46	64	59	87	185
Chlordane	0.0025	0.003	0.003	0.005	0.010
Chlorobenzene	2737	3801	3535	5197	10995
Chlorodibromomethane [Dibromochloromethane]	183	254	236	347	735
Chloroform [Trichloromethane]	7697	10690	9942	14615	30919
Chromium (hexavalent)	502	697	648	953	2017
Chrysene	2.52	3.5	3.3	4.8	10
Cresols [Methylphenols]	9301	12918	12014	17660	37363
Cyanide (free)	N/A	N/A	N/A	N/A	N/A
4,4'-DDD	0.002	0.003	0.003	0.004	0.008
4,4'-DDE	0.00013	0.0002	0.0002	0.0002	0.0005
4,4'-DDT	0.0004	0.001	0.0005	0.001	0.002
2,4'-D	N/A	N/A	N/A	N/A	N/A
Danitol [Fenpropathrin]	473	657	611	898	1900
1,2-Dibromoethane [Ethylene Dibromide]	4.24	6	5.5	8	17
<i>m</i> -Dichlorobenzene [1,3-Dichlorobenzene]	595	826	769	1130	2390
<i>o</i> -Dichlorobenzene [1,2-Dichlorobenzene]	3299	4582	4261	6264	13252
<i>p</i> -Dichlorobenzene [1,4-Dichlorobenzene]	N/A	N/A	N/A	N/A	N/A
3,3'-Dichlorobenzidine	2.24	3.1	2.9	4.3	9
1,2-Dichloroethane	364	506	470	691	1462
1,1-Dichloroethylene [1,1-Dichloroethene]	55114	76547	71189	104648	221398
Dichloromethane [Methylene Chloride]	13333	18518	17222	25316	53560
1,2-Dichloropropane	259	360	335	492	1040
1,3-Dichloropropene [1,3-Dichloropropylene]	119	165	154	226	478
Dicofol [Kelthane]	0.30	0.42	0.39	0.6	1.2
Dieldrin	2.0E-05	2.78E-05	2.58E-05	3.80E-05	8.03E-05
2,4-Dimethylphenol	8436	11717	10897	16018	33888
Di- <i>n</i> -Butyl Phthalate	92.4	128	119	175	371
Dioxins/Furans [TCDD Equivalents]	7.97E-08	1.11E-07	1.03E-07	1.51E-07	3.20E-07
Endrin	0.02	0.028	0.026	0.038	0.08
Epichlorohydrin	2013	2796	2600	3822	8086
Ethylbenzene	1867	2593	2412	3545	7500
Ethylene Glycol	1.68E+07	2.33E+07	2.17E+07	3.19E+07	6.75E+07
Fluoride	N/A	N/A	N/A	N/A	N/A
Heptachlor	0.0001	0.0001	0.0001	0.0002	0.0004
Heptachlor Epoxide	0.00029	0.0004	0.0004	0.001	0.001
Hexachlorobenzene	0.00068	0.001	0.001	0.001	0.003
Hexachlorobutadiene	0.22	0.31	0.28	0.42	0.9
Hexachlorocyclohexane (<i>alpha</i>)	0.0084	0.012	0.011	0.016	0.034
Hexachlorocyclohexane (<i>beta</i>)	0.26	0.36	0.34	0.49	1.0

FACT SHEET AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

HUMAN HEALTH

CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS:

<i>Parameter</i>	<i>Fish Only Criterion (µg/L)</i>	<i>WLAh (µg/L)</i>	<i>LTAh (µg/L)</i>	<i>Daily Avg. (µg/L)</i>	<i>Daily Max. (µg/L)</i>
Hexachlorocyclohexane (<i>gamma</i>) [Lindane]	0.341	0.47	0.44	0.6	1.4
Hexachlorocyclopentadiene	11.6	16	15	22	47
Hexachloroethane	2.33	3.2	3.0	4.4	9
Hexachlorophene	2.90	4.0	3.7	5.5	12
4,4'-Isopropylidenediphenol [Bisphenol A]	15982	22197	20643	30346	64201
Lead	3.83	14	13	19	40
Mercury	0.025	0.035	0.032	0.047	0.10
Methoxychlor	3.0	4	4	6	12
Methyl Ethyl Ketone	9.92E+05	1.38E+06	1.28E+06	1.88E+06	3.98E+06
Methyl <i>tert</i> -butyl ether [MTBE]	10482	14558	13539	19903	42107
Nickel	1140	1583	1473	2165	4579
Nitrate-Nitrogen (as Total Nitrogen)	N/A	N/A	N/A	N/A	N/A
Nitrobenzene	1873	2601	2419	3556	7524
N-Nitrosodiethylamine	2.1	2.9	2.7	4.0	8
N-Nitroso-di- <i>n</i> -Butylamine	4.2	6	5.4	8	17
Pentachlorobenzene	0.355	0.49	0.46	0.7	1.4
Pentachlorophenol	0.29	0.40	0.37	0.55	1.2
Polychlorinated Biphenyls [PCBs]	6.4E-04	0.001	0.001	0.001	0.003
Pyridine	947	1315	1223	1798	3804
Selenium	N/A	N/A	N/A	N/A	N/A
1,2,4,5-Tetrachlorobenzene	0.24	0.33	0.31	0.46	1.0
1,1,2,2-Tetrachloroethane	26.35	37	34	50	106
Tetrachloroethylene [Tetrachloroethylene]	280	389	362	532	1125
Thallium	0.23	0.32	0.30	0.44	0.9
Toluene	N/A	N/A	N/A	N/A	N/A
Toxaphene	0.011	0.015	0.014	0.021	0.044
2,4,5-TP [Silvex]	369	513	477	701	1482
1,1,1-Trichloroethane	784354	1089381	1013124	1489292	3150815
1,1,2-Trichloroethane	166	231	214	315	667
Trichloroethylene [Trichloroethene]	71.9	100	93	137	289
2,4,5-Trichlorophenol	1867	2593	2412	3545	7500
TTHM [Sum of Total Trihalomethanes]	N/A	N/A	N/A	N/A	N/A
Vinyl Chloride	16.5	23	21	31	66

FACT SHEET AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

CALCULATE 70% AND 85% OF DAILY AVERAGE EFFLUENT LIMITATIONS:

Aquatic Life Parameter	70% of Daily Avg. (µg/L)	85% of Daily Avg. (µg/L)
Aldrin	1.34	1.62
Aluminum	584	710
Arsenic	153	186
Cadmium	23.9	29.0
Carbaryl	1.18	1.43
Chlordane	0.011	0.013
Chlorpyrifos	0.011	0.014
Chromium (trivalent)	2464	2992
Chromium (hexavalent)	9.26	11.2
Copper	38.8	47.1
Copper (oyster waters)	N/A	N/A
Cyanide (free)	5.76	7.00
4,4'-DDT	0.0027	0.0033
Demeton	0.273	0.331
Diazinon	0.100	0.122
Dicofol [Kelthane]	35.0	42.5
Dieldrin	0.005	0.007
Diuron	124	150
Endosulfan I (<i>alpha</i>)	0.025	0.030
Endosulfan II (<i>beta</i>)	0.025	0.030
Endosulfan sulfate	0.025	0.030
Endrin	0.005	0.007
Guthion [Azinphos Methyl]	0.027	0.033
Heptachlor	0.011	0.013
Hexachlorocyclohexane (<i>gamma</i>) [Lindane]	0.165	0.200
Lead	38	46
Malathion	0.027	0.033
Mercury	1.42	1.72
Methoxychlor	0.082	0.099
Mirex	0.0027	0.0033
Nickel	36	43
Nonylphenol	4.64	5.63
Parathion (ethyl)	0.038	0.047
Pentachlorophenol	12.7	15.4
Phenanthrene	7.92	9.6
Polychlorinated Biphenyls [PCBs]	0.082	0.099
Selenium	11.8	14.3
Silver	4.70	5.70
Toxaphene	0.0005	0.0007
Tributyltin [TBT]	0.020	0.025
2,4,5 Trichlorophenol	32.7	39.8
Zinc	158	192

FACT SHEET AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

Human Health	70% of Daily Avg. (µg/L)	85% of Daily Avg. (µg/L)
Parameter		
Acrylonitrile	153	186
Aldrin	1.52E-05	1.85E-05
Anthracene	1750	2126
Antimony	1423	1729
Arsenic	N/A	N/A
Barium	N/A	N/A
Benzene	772	938
Benzidine	0.14	0.17
Benzo(a)anthracene	0.033	0.040
Benzo(a)pyrene	0.003	0.004
Bis(chloromethyl)ether	0.36	0.44
Bis(2-chloroethyl)ether	57	69
Bis(2-ethylhexyl) phthalate [Di(2-ethylhexyl) phthalate]	10	12
Bromodichloromethane [Dichlorobromomethane]	366	444
Bromoform [Tribromomethane]	1409	1711
Cadmium	N/A	N/A
Carbon Tetrachloride	61	74
Chlordane	0.003	0.004
Chlorobenzene	3638	4417
Chlorodibromomethane [Dibromochloromethane]	243	295
Chloroform [Trichloromethane]	10230	12422
Chromium (hexavalent)	667	810
Chrysene	3.3	4.1
Cresols [Methylphenols]	12362	15011
Cyanide (free)	N/A	N/A
4,4'-DDD	0.003	0.003
4,4'-DDE	0.0002	0.0002
4,4'-DDT	0.0005	0.0006
2,4'-D	N/A	N/A
Danitol [Fenpropathrin]	629	763
1,2-Dibromoethane [Ethylene Dibromide]	6	7
<i>m</i> -Dichlorobenzene [1,3-Dichlorobenzene]	791	960
<i>o</i> -Dichlorobenzene [1,2-Dichlorobenzene]	4385	5324
<i>p</i> -Dichlorobenzene [1,4-Dichlorobenzene]	N/A	N/A
3,3'-Dichlorobenzidine	3.0	3.6
1,2-Dichloroethane	484	587
1,1-Dichloroethylene [1,1-Dichloroethene]	73253	88951
Dichloromethane [Methylene Chloride]	17721	21519
1,2-Dichloropropane	344	418
1,3-Dichloropropene [1,3-Dichloropropylene]	158	192
Dicofol [Kelthane]	0.40	0.48
Dieldrin	2.66E-05	3.23E-05
2,4-Dimethylphenol	11212	13615
Di- <i>n</i> -Butyl Phthalate	123	149
Dioxins/Furans [TCDD Equivalents]	1.06E-07	1.29E-07
Endrin	0.027	0.032
Epichlorohydrin	2676	3249
Ethylbenzene	2481	3013
Ethylene Glycol	2.23E+07	2.71E+07
Fluoride	N/A	N/A
Heptachlor	0.0001	0.0002
Heptachlor Epoxide	0.0004	0.0005
Hexachlorobenzene	0.001	0.001
Hexachlorobutadiene	0.29	0.36
Hexachlorocyclohexane (<i>alpha</i>)	0.011	0.014
Hexachlorocyclohexane (<i>beta</i>)	0.35	0.42
Hexachlorocyclohexane (<i>gamma</i>) [Lindane]	0.45	0.55
Hexachlorocyclopentadiene	15	19

FACT SHEET AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

Human Health	70% of Daily Avg.	85% of Daily Avg.
Parameter	(µg/L)	(µg/L)
Hexachloroethane	3.1	3.8
Hexachlorophene	3.9	4.7
4,4'-Isopropylidenediphenol [Bisphenol A]	21242	25794
Lead	13	16
Mercury	0.033	0.040
Methoxychlor	4.0	4.8
Methyl Ethyl Ketone	1.32E+06	1.60E+06
Methyl <i>tert</i> -butyl ether [MTBE]	13932	16917
Nickel	1515	1840
Nitrate-Nitrogen (as Total Nitrogen)	N/A	N/A
Nitrobenzene	2489	3023
N-Nitrosodiethylamine	2.8	3.4
N-Nitroso-di- <i>n</i> -Butylamine	6	7
Pentachlorobenzene	0.47	0.6
Pentachlorophenol	0.39	0.47
Polychlorinated Biphenyls [PCBs]	0.001	0.001
Pyridine	1259	1528
Selenium	N/A	N/A
1,2,4,5-Tetrachlorobenzene	0.32	0.39
1,1,2,2-Tetrachloroethane	35	43
Tetrachloroethylene [Tetrachloroethylene]	372	452
Thallium	0.31	0.37
Toluene	N/A	N/A
Toxaphene	0.015	0.018
2,4,5-TP [Silvex]	490	596
1,1,1-Trichloroethane	1.04E+06	1.27E+06
1,1,2-Trichloroethane	221	268
Trichloroethylene [Trichloroethene]	96	116
2,4,5-Trichlorophenol	2481	3013
TTHM [Sum of Total Trihalomethanes]	N/A	N/A
Vinyl Chloride	22	27

FACT SHEET AND EXECUTIVE DIRECTOR’S PRELIMINARY DECISION

TEXTOX MENU #10 - INTERMITTENT FRESHWATER STREAM WITHIN 3 MILES OF A BAY OR WIDE TIDAL RIVER

The water quality-based effluent limitations developed below are calculated using:

Table 1, 2014 Texas Surface Water Quality Standards (30 TAC 307) for Freshwater and Saltwater Aquatic Life
 Table 2, 2018 Texas Surface Water Quality Standards for Human Health
 "Procedures to Implement the Texas Surface Water Quality Standards," TCEQ, June 2010

PERMIT INFORMATION

Permittee Name:	HEP Javelina Company, LLC
TPDES Permit No:	WQ0003137000
Outfall No:	Outfall 001 final phase
Prepared by:	RUIQIANG ZONG
Date:	12/19/2024

DISCHARGE INFORMATION

<i>Intermittent Receiving Waterbody:</i>	An unnamed drainage ditch
Segment No. for Freshwater Ambient Data:	2102
TSS (mg/L) (Intermittent):	10
pH (Standard Units) (Intermittent):	7.9
Hardness (mg/L as CaCO ₃) (Intermittent):	164
Chloride (mg/L) (Intermittent):	118
Effluent Flow for Aquatic Life (MGD):	0.478
% Effluent for Acute Aquatic Life (Intermittent):	100
<i>Saltwater Receiving Waterbody:</i>	Corpus Christi Inner Harbor
Segment No.:	2484
TSS (mg/L) (Bay/Tidal River):	9
% Effluent for Chronic Aquatic Life (Bay/Tidal River):	
% Effluent for Acute Aquatic Life (Bay/Tidal River):	3.4
Oyster Waters?	no
Effluent Flow for Human Health (MGD):	0.23
% Effluent for Human Health (Bay/Tidal River):	

CALCULATE DISSOLVED FRACTION (AND ENTER WATER EFFECT RATIO IF APPLICABLE):

<i>Stream/River Metal</i>	<i>Intercept (b)</i>	<i>Slope (m)</i>	<i>Partition Coefficient (Kp)</i>	<i>Dissolved Fraction (Cd/Ct)</i>	<i>Source</i>	<i>Water Effect Ratio (WER)</i>	<i>Source</i>
Aluminum	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Arsenic	5.68	-0.73	89125.09	0.529		1.00	Assumed
Cadmium	6.60	-1.13	295120.92	0.253		1.00	Assumed
Chromium (total)	6.52	-0.93	389045.14	0.204		1.00	Assumed
Chromium (trivalent)	6.52	-0.93	389045.14	0.204		1.00	Assumed
Chromium (hexavalent)	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Copper	6.02	-0.74	190546.07	0.344		1.00	Assumed
Lead	6.45	-0.80	446683.59	0.183		1.00	Assumed
Mercury	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Nickel	5.69	-0.57	131825.67	0.431		1.00	Assumed
Selenium	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Silver	6.38	-1.03	223872.11	0.309		1.00	Assumed
Zinc	6.10	-0.70	251188.64	0.285		1.00	Assumed

FACT SHEET AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

<i>Estuarine Metal</i>	<i>Intercept (b)</i>	<i>Slope (m)</i>	<i>Partition Coefficient (Kp)</i>	<i>Dissolved Fraction (Cd/Ct)</i>	<i>Source</i>	<i>Water Effect Ratio (WER)</i>	<i>Source</i>
Aluminum	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Arsenic	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Cadmium	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Chromium (total)	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Chromium (trivalent)	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Chromium (hexavalent)	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Copper	4.85	-0.72	14552.76	0.884		4.13	TAC#307
Lead	6.06	-0.85	177375.60	0.385		1.00	Assumed
Mercury	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Nickel	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Selenium	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Silver	5.86	-0.74	142514.99	0.438		1.00	Assumed
Zinc	5.36	-0.52	73079.22	0.603		1.00	Assumed

AQUATIC LIFE

CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS:

<i>Parameter</i>	<i>SW</i>			<i>FW WLA_a (µg/L)</i>	<i>SW WLA_a (µg/L)</i>	<i>SW WLA_c (µg/L)</i>	<i>FW LTA_a (µg/L)</i>	<i>SW LTA_a (µg/L)</i>	<i>SW LTA_c (µg/L)</i>	<i>Daily Avg. (µg/L)</i>	<i>Daily Max. (µg/L)</i>
	<i>FW Acute Criterion (µg/L)</i>	<i>SW Acute Criterion (µg/L)</i>	<i>SW Chronic Criterion (µg/L)</i>								
Aldrin	3.0	1.3	N/A	3.0	38.24	N/A	1.72	12.24	N/A	2.53	5.35
Aluminum	991	N/A	N/A	991	N/A	N/A	568	N/A	N/A	835	1766
Arsenic	340	149	78	643	4382	N/A	368	1402	N/A	N/A	N/A
Cadmium	13.9	40.0	8.75	54.8	1176	N/A	31.4	376.5	N/A	N/A	N/A
Carbaryl	2.0	613	N/A	2.0	18029.41	N/A	1.15	5769.41	N/A	1.68	3.56
Chlordane	2.4	0.09	0.004	2.4	2.647	N/A	1.38	0.847	N/A	N/A	N/A
Chlorpyrifos	0.083	0.011	0.006	0.083	0.324	N/A	0.048	0.104	N/A	N/A	N/A
Chromium (trivalent)	854	N/A	N/A	4178	N/A	N/A	2394	N/A	N/A	3519	7446
Chromium (hexavalent)	15.7	1090	49.6	15.7	32059	N/A	9.00	10259	N/A	N/A	N/A
Copper	22.6	55.755	14.868	65.8	1854.6	N/A	37.7	593.5	N/A	N/A	N/A
Copper (oyster waters)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Cyanide (free)	45.8	5.6	5.6	45.8	164.7	N/A	26.2	52.71	N/A	N/A	N/A
4,4'-DDT	1.1	0.13	0.001	1.1	3.824	N/A	0.630	1.224	N/A	N/A	N/A
Demeton	N/A	N/A	0.1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Diazinon	0.17	0.819	0.819	0.17	24.09	N/A	0.097	7.708	N/A	N/A	N/A
Dicofol [Kelthane]	59.3	N/A	N/A	59.3	N/A	N/A	34.0	N/A	N/A	49.9	106
Dieldrin	0.24	0.71	0.002	0.24	20.88	N/A	0.138	6.682	N/A	N/A	N/A

FACT SHEET AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

Parameter	SW			FW WLAa (µg/L)	SW WLAa (µg/L)	SW WLAc (µg/L)	FW LTAa (µg/L)	SW LTAa (µg/L)	SW LTAc (µg/L)	Daily Avg. (µg/L)	Daily Max. (µg/L)
	FW Acute Criterion (µg/L)	SW Acute Criterion (µg/L)	Chronic Criterion (µg/L)								
Diuron	210	N/A	N/A	210	N/A	N/A	120.330	N/A	N/A	176.885	374.226
Endosulfan I (<i>alpha</i>)	0.22	0.034	0.009	0.22	1.000	N/A	0.126	0.320	N/A	N/A	N/A
Endosulfan II (<i>beta</i>)	0.22	0.034	0.009	0.22	1.000	N/A	0.126	0.320	N/A	N/A	N/A
Endosulfan sulfate	0.22	0.034	0.009	0.22	1.000	N/A	0.126	0.320	N/A	N/A	N/A
Endrin	0.086	0.037	0.002	0.086	1.088	N/A	0.049	0.348	N/A	N/A	N/A
Guthion [Azinphos Methyl]	N/A	N/A	0.01	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Heptachlor	0.52	0.053	0.004	0.52	1.559	N/A	0.298	0.499	N/A	N/A	N/A
Hexachlorocyclohexane (<i>gamma</i>) [Lindane]	1.126	0.16	N/A	1.126	4.706	N/A	0.645	1.506	N/A	0.948	2.007
Lead	110	133	5.3	602	10156	N/A	345	3250	N/A	N/A	N/A
Malathion	N/A	N/A	0.01	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Mercury	2.4	2.1	1.1	2.4	61.76	N/A	1.38	19.76	N/A	N/A	N/A
Methoxychlor	N/A	N/A	0.03	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Mirex	N/A	N/A	0.001	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Nickel	712	118	13.1	1650	3471	N/A	945	1111	N/A	N/A	N/A
Nonylphenol	28	7	1.7	28	205.9	N/A	16.0	65.88	N/A	N/A	N/A
Parathion (ethyl)	0.065	N/A	N/A	0.065	N/A	N/A	0.037	N/A	N/A	0.055	0.116
Pentachlorophenol	21.6	15.1	9.6	21.6	444.1	N/A	12.3	142.1	N/A	N/A	N/A
Phenanthrene	30	7.7	4.6	30	226.5	NA/	17.2	72.47	N/A	N/A	N/A
Polychlorinated Biphenyls [PCBs]	2.0	10	0.03	2.0	294.1	N/A	1.15	94.1	N/A	N/A	N/A
Selenium	20	564	136	20	16588	N/A	11.5	5308	N/A	N/A	N/A
Silver	0.8	2	N/A	24.91	134.3	N/A	14.27	42.97	N/A	20.98	44.4
Toxaphene	0.78	0.21	0.0002	0.78	6.176	N/A	0.447	1.976	N/A	N/A	N/A
Tributyltin [TBT]	0.13	0.24	0.0074	0.13	7.059	N/A	0.074	2.259	N/A	N/A	N/A
2,4,5 Trichlorophenol	136	259	12	136	7618	N/A	77.9	2438	N/A	N/A	N/A
Zinc	178	92.7	84.2	626	4520	N/A	359	1446	N/A	N/A	N/A

FACT SHEET AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

HUMAN HEALTH

CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS:

<i>Parameter</i>	<i>Fish Only Criterion (µg/L)</i>	<i>WLAh (µg/L)</i>	<i>LTAh (µg/L)</i>	<i>Daily Avg. (µg/L)</i>	<i>Daily Max. (µg/L)</i>
Acrylonitrile	115	N/A	N/A	N/A	N/A
Aldrin	1.147E-05	N/A	N/A	N/A	N/A
Anthracene	1317	N/A	N/A	N/A	N/A
Antimony	1071	N/A	N/A	N/A	N/A
Arsenic	N/A	N/A	N/A	N/A	N/A
Barium	N/A	N/A	N/A	N/A	N/A
Benzene	581	N/A	N/A	N/A	N/A
Benzidine	0.107	N/A	N/A	N/A	N/A
Benzo(a)anthracene	0.025	N/A	N/A	N/A	N/A
Benzo(a)pyrene	0.0025	N/A	N/A	N/A	N/A
Bis(chloromethyl)ether	0.2745	N/A	N/A	N/A	N/A
Bis(2-chloroethyl)ether	42.83	N/A	N/A	N/A	N/A
Bis(2-ethylhexyl) phthalate [Di(2-ethylhexyl) phthalate]	7.55	N/A	N/A	N/A	N/A
Bromodichloromethane [Dichlorobromomethane]	275	N/A	N/A	N/A	N/A
Bromoform [Tribromomethane]	1060	N/A	N/A	N/A	N/A
Cadmium	N/A	N/A	N/A	N/A	N/A
Carbon Tetrachloride	46	N/A	N/A	N/A	N/A
Chlordane	0.0025	N/A	N/A	N/A	N/A
Chlorobenzene	2737	N/A	N/A	N/A	N/A
Chlorodibromomethane [Dibromochloromethane]	183	N/A	N/A	N/A	N/A
Chloroform [Trichloromethane]	7697	N/A	N/A	N/A	N/A
Chromium (hexavalent)	502	N/A	N/A	N/A	N/A
Chrysene	2.52	N/A	N/A	N/A	N/A
Cresols [Methylphenols]	9301	N/A	N/A	N/A	N/A
Cyanide (free)	N/A	N/A	N/A	N/A	N/A
4,4'-DDD	0.002	N/A	N/A	N/A	N/A
4,4'-DDE	0.00013	N/A	N/A	N/A	N/A
4,4'-DDT	0.0004	N/A	N/A	N/A	N/A
2,4'-D	N/A	N/A	N/A	N/A	N/A
Danitol [Fenpropathrin]	473	N/A	N/A	N/A	N/A
1,2-Dibromoethane [Ethylene Dibromide]	4.24	N/A	N/A	N/A	N/A
<i>m</i> -Dichlorobenzene [1,3-Dichlorobenzene]	595	N/A	N/A	N/A	N/A
<i>o</i> -Dichlorobenzene [1,2-Dichlorobenzene]	3299	N/A	N/A	N/A	N/A
<i>p</i> -Dichlorobenzene [1,4-Dichlorobenzene]	N/A	N/A	N/A	N/A	N/A
3,3'-Dichlorobenzidine	2.24	N/A	N/A	N/A	N/A
1,2-Dichloroethane	364	N/A	N/A	N/A	N/A
1,1-Dichloroethylene [1,1-Dichloroethene]	55114	N/A	N/A	N/A	N/A
Dichloromethane [Methylene Chloride]	13333	N/A	N/A	N/A	N/A
1,2-Dichloropropane	259	N/A	N/A	N/A	N/A
1,3-Dichloropropane [1,3-Dichloropropylene]	119	N/A	N/A	N/A	N/A
Dicofol [Kelthane]	0.30	N/A	N/A	N/A	N/A
Dieldrin	2.0E-05	N/A	N/A	N/A	N/A
2,4-Dimethylphenol	8436	N/A	N/A	N/A	N/A
Di- <i>n</i> -Butyl Phthalate	92.4	N/A	N/A	N/A	N/A
Dioxins/Furans [TCDD Equivalents]	7.97E-08	N/A	N/A	N/A	N/A
Endrin	0.02	N/A	N/A	N/A	N/A
Epichlorohydrin	2013	N/A	N/A	N/A	N/A
Ethylbenzene	1867	N/A	N/A	N/A	N/A
Ethylene Glycol	1.68E+07	N/A	N/A	N/A	N/A
Fluoride	N/A	N/A	N/A	N/A	N/A
Heptachlor	0.0001	N/A	N/A	N/A	N/A

FACT SHEET AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

HUMAN HEALTH

CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS:

<i>Parameter</i>	<i>Fish Only Criterion (µg/L)</i>	<i>WLAh (µg/L)</i>	<i>LTAh (µg/L)</i>	<i>Daily Avg. (µg/L)</i>	<i>Daily Max. (µg/L)</i>
Heptachlor Epoxide	0.00029	N/A	N/A	N/A	N/A
Hexachlorobenzene	0.00068	N/A	N/A	N/A	N/A
Hexachlorobutadiene	0.22	N/A	N/A	N/A	N/A
Hexachlorocyclohexane (<i>alpha</i>)	0.0084	N/A	N/A	N/A	N/A
Hexachlorocyclohexane (<i>beta</i>)	0.26	N/A	N/A	N/A	N/A
Hexachlorocyclohexane (<i>gamma</i>) [Lindane]	0.341	N/A	N/A	N/A	N/A
Hexachlorocyclopentadiene	11.6	N/A	N/A	N/A	N/A
Hexachloroethane	2.33	N/A	N/A	N/A	N/A
Hexachlorophene	2.90	N/A	N/A	N/A	N/A
4,4'-Isopropylidenediphenol [Bisphenol A]	15982	N/A	N/A	N/A	N/A
Lead	3.83	N/A	N/A	N/A	N/A
Mercury	0.025	N/A	N/A	N/A	N/A
Methoxychlor	3.0	N/A	N/A	N/A	N/A
Methyl Ethyl Ketone	9.92E+05	N/A	N/A	N/A	N/A
Methyl <i>tert</i> -butyl ether [MTBE]	10482	N/A	N/A	N/A	N/A
Nickel	1140	N/A	N/A	N/A	N/A
Nitrate-Nitrogen (as Total Nitrogen)	N/A	N/A	N/A	N/A	N/A
Nitrobenzene	1873	N/A	N/A	N/A	N/A
N-Nitrosodiethylamine	2.1	N/A	N/A	N/A	N/A
N-Nitroso-di- <i>n</i> -Butylamine	4.2	N/A	N/A	N/A	N/A
Pentachlorobenzene	0.355	N/A	N/A	N/A	N/A
Pentachlorophenol	0.29	N/A	N/A	N/A	N/A
Polychlorinated Biphenyls [PCBs]	6.4E-04	N/A	N/A	N/A	N/A
Pyridine	947	N/A	N/A	N/A	N/A
Selenium	N/A	N/A	N/A	N/A	N/A
1,2,4,5-Tetrachlorobenzene	0.24	N/A	N/A	N/A	N/A
1,1,2,2-Tetrachloroethane	26.35	N/A	N/A	N/A	N/A
Tetrachloroethylene [Tetrachloroethylene]	280	N/A	N/A	N/A	N/A
Thallium	0.23	N/A	N/A	N/A	N/A
Toluene	N/A	N/A	N/A	N/A	N/A
Toxaphene	0.011	N/A	N/A	N/A	N/A
2,4,5-TP [Silvex]	369	N/A	N/A	N/A	N/A
1,1,1-Trichloroethane	784354	N/A	N/A	N/A	N/A
1,1,2-Trichloroethane	166	N/A	N/A	N/A	N/A
Trichloroethylene [Trichloroethene]	71.9	N/A	N/A	N/A	N/A
2,4,5-Trichlorophenol	1867	N/A	N/A	N/A	N/A
TTM [Sum of Total Trihalomethanes]	N/A	N/A	N/A	N/A	N/A
Vinyl Chloride	16.5	N/A	N/A	N/A	N/A

FACT SHEET AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

CALCULATE 70% AND 85% OF DAILY AVERAGE EFFLUENT LIMITATIONS:

Aquatic Life	70% of Daily Avg.	85% of Daily Avg.
Parameter	(µg/L)	(µg/L)
Aldrin	1.77	2.15
Aluminum	584	710
Arsenic	N/A	N/A
Cadmium	N/A	N/A
Carbaryl	1.18	1.43
Chlordane	N/A	N/A
Chlorpyrifos	N/A	N/A
Chromium (trivalent)	2464	2992
Chromium (hexavalent)	N/A	N/A
Copper	N/A	N/A
Copper (oyster waters)	N/A	N/A
Cyanide (free)	N/A	N/A
4,4'-DDT	N/A	N/A
Demeton	N/A	N/A
Diazinon	N/A	N/A
Dicofol [Kelthane]	35.0	42.5
Dieldrin	N/A	N/A
Diuron	124	150
Endosulfan I (<i>alpha</i>)	N/A	N/A
Endosulfan II (<i>beta</i>)	N/A	N/A
Endosulfan sulfate	N/A	N/A
Endrin	N/A	N/A
Guthion [Azinphos Methyl]	N/A	N/A
Heptachlor	N/A	N/A
Hexachlorocyclohexane (<i>gamma</i>) [Lindane]	0.664	0.806
Lead	N/A	N/A
Malathion	N/A	N/A
Mercury	N/A	N/A
Methoxychlor	N/A	N/A
Mirex	N/A	N/A
Nickel	N/A	N/A
Nonylphenol	N/A	N/A
Parathion (ethyl)	0.038	0.047
Pentachlorophenol	N/A	N/A
Phenanthrene	N/A	N/A
Polychlorinated Biphenyls [PCBs]	N/A	N/A
Selenium	N/A	N/A
Silver	14.69	17.83
Toxaphene	N/A	N/A
Tributyltin [TBT]	N/A	N/A
2,4,5 Trichlorophenol	N/A	N/A
Zinc	N/A	N/A

FACT SHEET AND EXECUTIVE DIRECTOR’S PRELIMINARY DECISION

TEXTOX MENU #5 - BAY OR WIDE TIDAL RIVER

The water quality-based effluent limitations developed below are calculated using:

Table 1, 2014 Texas Surface Water Quality Standards (30 TAC 307) for Saltwater Aquatic Life
 Table 2, 2018 Texas Surface Water Quality Standards for Human Health
 "Procedures to Implement the Texas Surface Water Quality Standards," TCEQ, June 2010

PERMIT INFORMATION

Permittee Name:	HEP Javelina Company, LLC
TPDES Permit No:	WQ0003137000
Outfall No:	Outfall 002
Prepared by:	RUIQIANG ZONG
Date:	12/19/2024

DISCHARGE INFORMATION

Receiving Waterbody:	Corpus Christi Inner Harbor
Segment No:	2484
TSS (mg/L):	9
Effluent Flow for Aquatic Life (MGD)	0.478
% Effluent for Chronic Aquatic Life (Mixing Zone):	8
% Effluent for Acute Aquatic Life (ZID):	30
Oyster Waters?	no
Effluent Flow for Human Health (MGD):	0.478
% Effluent for Human Health:	4

CALCULATE DISSOLVED FRACTION (AND ENTER WATER EFFECT RATIO IF APPLICABLE):

<i>Estuarine Metal</i>	<i>Intercept (b)</i>	<i>Slope (m)</i>	<i>Partition Coefficient (Kp)</i>	<i>Dissolved Fraction (Cd/Ct)</i>	<i>Source</i>	<i>Water Effect Ratio (WER)</i>	<i>Source</i>
Aluminum	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Arsenic	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Cadmium	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Chromium (total)	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Chromium (trivalent)	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Chromium (hexavalent)	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Copper	4.85	-0.72	14552.76	0.884		4.13	30 TAC § 307
Lead	6.06	-0.85	177375.60	0.385		1.00	Assumed
Mercury	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Nickel	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Selenium	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Silver	5.86	-0.74	142514.99	0.438		1.00	Assumed
Zinc	5.36	-0.52	73079.22	0.603		1.00	Assumed

FACT SHEET AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

AQUATIC LIFE

CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS:

<i>Parameter</i>	<i>SW Acute Criterion (µg/L)</i>	<i>SW Chronic Criterion (µg/L)</i>	<i>WLAa (µg/L)</i>	<i>WLAc (µg/L)</i>	<i>LTAa (µg/L)</i>	<i>LTAc (µg/L)</i>	<i>Daily Avg. (µg/L)</i>	<i>Daily Max. (µg/L)</i>
Acrolein	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Aldrin	1.3	N/A	4.33	N/A	1.39	N/A	2.04	4.31
Aluminum	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Arsenic	149	78	497	975	159	595	234	494
Cadmium	40.0	8.75	133	109	42.7	66.7	62.7	133
Carbaryl	613	N/A	2043.33	N/A	653.87	N/A	961.18	2033.53
Chlordane	0.09	0.004	0.300	0.050	0.096	0.031	0.045	0.095
Chlorpyrifos	0.011	0.006	0.037	0.075	0.012	0.046	0.017	0.036
Chromium (trivalent)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Chromium (hexavalent)	1090	49.6	3633	620	1163	378	556	1176
Copper	55.755	14.868	210.2	210.2	67.3	128.2	98.9	209.2
Copper (oyster waters)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Cyanide (free)	5.6	5.6	18.7	70.0	5.97	42.7	8.78	18.6
4,4'-DDT	0.13	0.001	0.433	0.013	0.139	0.008	0.011	0.024
Demeton	N/A	0.1	N/A	1.25	N/A	0.763	1.12	2.37
Diazinon	0.819	0.819	2.73	10.2	0.874	6.24	1.28	2.72
Dicofol [Kelthane]	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Dieldrin	0.71	0.002	2.37	0.025	0.757	0.015	0.022	0.047
Diuron	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Endosulfan I (<i>alpha</i>)	0.034	0.009	0.113	0.113	0.036	0.069	0.053	0.113
Endosulfan II (<i>beta</i>)	0.034	0.009	0.113	0.113	0.036	0.069	0.053	0.113
Endosulfan sulfate	0.034	0.009	0.113	0.113	0.036	0.069	0.053	0.113
Endrin	0.037	0.002	0.123	0.025	0.039	0.015	0.022	0.047
Guthion [Azinphos Methyl]	N/A	0.01	N/A	0.125	N/A	0.076	0.112	0.237
Heptachlor	0.053	0.004	0.177	0.050	0.057	0.031	0.045	0.095
Hexachlorocyclohexane (<i>gamma</i>) [Lindane]	0.16	N/A	0.533	N/A	0.171	N/A	0.251	0.531
Lead	133	5.3	1151	172	368	105	154	326
Malathion	N/A	0.01	N/A	0.125	N/A	0.076	0.112	0.237
Mercury	2.1	1.1	7.00	13.8	2.24	8.39	3.29	6.97
Methoxychlor	N/A	0.03	N/A	0.375	N/A	0.229	0.336	0.711
Mirex	N/A	0.001	N/A	0.013	N/A	0.0076	0.011	0.024
Nickel	118	13.1	393	164	126	99.9	147	311
Nonylphenol	7	1.7	23.3	21.3	7.47	13.0	11.0	23.2
Parathion (ethyl)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Pentachlorophenol	15.1	9.6	50.3	120	16.1	73.2	23.7	50.1
Phenanthrene	7.7	4.6	25.7	57.5	8.21	35.1	12.1	25.5
Polychlorinated Biphenyls [PCBs]	10	0.03	33.3	0.375	10.7	0.229	0.336	0.711
Selenium	564	136	1880	1700	602	1037	884	1871
Silver	2	N/A	15.2	N/A	4.87	N/A	7.16	15.1
Toxaphene	0.21	0.0002	0.700	0.0025	0.224	0.0015	0.0022	0.0047
Tributyltin [TBT]	0.24	0.0074	0.800	0.093	0.256	0.056	0.083	0.175
2,4,5 Trichlorophenol	259	12	863	150	276	91.5	135	285
Zinc	92.7	84.2	512	1745	164	1064	241	510

FACT SHEET AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

HUMAN HEALTH

CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS:

<i>Parameter</i>	<i>Fish Only Criterion (µg/L)</i>	<i>WLAh (µg/L)</i>	<i>LTAh (µg/L)</i>	<i>Daily Avg. (µg/L)</i>	<i>Daily Max. (µg/L)</i>
Acrylonitrile	115	2875	2674	3930	8315
Aldrin	1.147E-05	2.87E-04	2.67E-04	3.92E-04	8.29E-04
Anthracene	1317	32925	30620	45012	95229
Antimony	1071	26775	24901	36604	77441
Arsenic	N/A	N/A	N/A	N/A	N/A
Barium	N/A	N/A	N/A	N/A	N/A
Benzene	581	14525	13508	19857	42011
Benzidine	0.107	2.68	2.49	3.66	7.74
Benzo(a)anthracene	0.025	0.625	0.581	0.854	1.81
Benzo(a)pyrene	0.0025	0.063	0.058	0.085	0.181
Bis(chloromethyl)ether	0.2745	6.86	6.38	9.38	19.8
Bis(2-chloroethyl)ether	42.83	1071	996	1464	3097
Bis(2-ethylhexyl) phthalate [Di(2-ethylhexyl) phthalate]	7.55	189	176	258	546
Bromodichloromethane [Dichlorobromomethane]	275	6875	6394	9399	19885
Bromoform [Tribromomethane]	1060	26500	24645	36228	76646
Cadmium	N/A	N/A	N/A	N/A	N/A
Carbon Tetrachloride	46	1150	1070	1572	3326
Chlordane	0.0025	0.063	0.058	0.085	0.181
Chlorobenzene	2737	68425	63635	93544	197906
Chlorodibromomethane [Dibromochloromethane]	183	4575	4255	6254	13232
Chloroform [Trichloromethane]	7697	192425	178955	263064	556551
Chromium (hexavalent)	502	12550	11672	17157	36298
Chrysene	2.52	63.0	58.6	86.1	182
Cresols [Methylphenols]	9301	232525	216248	317885	672532
Cyanide (free)	N/A	N/A	N/A	N/A	N/A
4,4'-DDD	0.002	0.050	0.047	0.068	0.145
4,4'-DDE	0.00013	0.0033	0.0030	0.0044	0.0094
4,4'-DDT	0.0004	0.010	0.009	0.014	0.029
2,4'-D	N/A	N/A	N/A	N/A	N/A
Danitol [Fenpropathrin]	473	11825	10997	16166	34201
1,2-Dibromoethane [Ethylene Dibromide]	4.24	106	98.6	145	307
<i>m</i> -Dichlorobenzene [1,3-Dichlorobenzene]	595	14875	13834	20336	43023
<i>o</i> -Dichlorobenzene [1,2-Dichlorobenzene]	3299	82475	76702	112752	238542
<i>p</i> -Dichlorobenzene [1,4-Dichlorobenzene]	N/A	N/A	N/A	N/A	N/A
3,3'-Dichlorobenzidine	2.24	56.0	52.1	76.6	162
1,2-Dichloroethane	364	9100	8463	12441	26320
1,1-Dichloroethylene [1,1-Dichloroethene]	55114	1377850	1281401	1883659	3985156
Dichloromethane [Methylene Chloride]	13333	333325	309992	455689	964076
1,2-Dichloropropane	259	6475	6022	8852	18728
1,3-Dichloropropene [1,3-Dichloropropylene]	119	2975	2767	4067	8605
Dicofol [Kelthane]	0.30	7.50	6.98	10.3	21.7
Dieldrin	2.0E-05	5.00E-04	4.65E-04	6.84E-04	1.45E-03
2,4-Dimethylphenol	8436	210900	196137	288321	609986
Di- <i>n</i> -Butyl Phthalate	92.4	2310	2148	3158	6681
Dioxins/Furans [TCDD Equivalents]	7.97E-08	1.99E-06	1.85E-06	2.72E-06	5.76E-06
Endrin	0.02	0.500	0.465	0.684	1.45
Epichlorohydrin	2013	50325	46802	68799	145555
Ethylbenzene	1867	46675	43408	63809	134998
Ethylene Glycol	1.68E+07	4.20E+08	3.91E+08	5.74E+08	1.21E+09
Fluoride	N/A	N/A	N/A	N/A	N/A
Heptachlor	0.0001	0.0025	0.0023	0.0034	0.0072

FACT SHEET AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

HUMAN HEALTH

CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS:

<i>Parameter</i>	<i>Fish Only Criterion (µg/L)</i>	<i>WLAh (µg/L)</i>	<i>LTAh (µg/L)</i>	<i>Daily Avg. (µg/L)</i>	<i>Daily Max. (µg/L)</i>
Heptachlor Epoxide	0.00029	0.0073	0.0067	0.0099	0.0210
Hexachlorobenzene	0.00068	0.017	0.016	0.023	0.049
Hexachlorobutadiene	0.22	5.50	5.12	7.52	15.9
Hexachlorocyclohexane (<i>alpha</i>)	0.0084	0.210	0.195	0.287	0.607
Hexachlorocyclohexane (<i>beta</i>)	0.26	6.50	6.05	8.89	18.8
Hexachlorocyclohexane (<i>gamma</i>) [Lindane]	0.341	8.53	7.93	11.7	24.7
Hexachlorocyclopentadiene	11.6	290	270	396	839
Hexachloroethane	2.33	58.3	54.2	79.6	168
Hexachlorophene	2.90	72.5	67.4	99.1	210
4,4'-Isopropylidenediphenol [Bisphenol A]	15982	399550	371582	546225	1155618
Lead	3.83	249	231	340	719
Mercury	0.0250	0.625	0.581	0.854	1.81
Methoxychlor	3.0	75.0	69.8	103	217
Methyl Ethyl Ketone	9.92E+05	2.48E+07	2.31E+07	3.39E+07	7.17E+07
Methyl <i>tert</i> -butyl ether [MTBE]	10482	262050	243707	358249	757927
Nickel	1140	28500	26505	38962	82431
Nitrate-Nitrogen (as Total Nitrogen)	N/A	N/A	N/A	N/A	N/A
Nitrobenzene	1873	46825	43547	64014	135432
N-Nitrosodiethylamine	2.1	52.5	48.8	71.8	152
N-Nitroso-di- <i>n</i> -Butylamine	4.2	105	97.7	144	304
Pentachlorobenzene	0.355	8.88	8.25	12.1	25.7
Pentachlorophenol	0.29	7.25	6.74	9.91	21.0
Polychlorinated Biphenyls [PCBs]	6.4E-04	0.016	0.015	0.022	0.046
Pyridine	947	23675	22018	32366	68475
Selenium	N/A	N/A	N/A	N/A	N/A
1,2,4,5-Tetrachlorobenzene	0.24	6.00	5.58	8.20	17.4
1,1,2,2-Tetrachloroethane	26.35	659	613	901	1905
Tetrachloroethylene [Tetrachloroethylene]	280	7000	6510	9570	20246
Thallium	0.23	5.75	5.35	7.86	16.6
Toluene	N/A	N/A	N/A	N/A	N/A
Toxaphene	0.011	0.275	0.256	0.376	0.795
2,4,5-TP [Silvex]	369	9225	8579	12611	26681
1,1,1-Trichloroethane	784354	19608850	18236231	26807259	56714677
1,1,2-Trichloroethane	166	4150	3860	5673	12003
Trichloroethylene [Trichloroethene]	71.9	1798	1672	2457	5199
2,4,5-Trichlorophenol	1867	46675	43408	63809	134998
TTHM [Sum of Total Trihalomethanes]	N/A	N/A	N/A	N/A	N/A
Vinyl Chloride	16.5	413	384	564	1193

FACT SHEET AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

CALCULATE 70% AND 85% OF DAILY AVERAGE EFFLUENT LIMITATIONS:

Aquatic Life	70% of Daily Avg.	85% of Daily Avg.
Parameter	(µg/L)	(µg/L)
Acrolein	N/A	N/A
Aldrin	1.43	1.73
Aluminum	N/A	N/A
Arsenic	164	199
Cadmium	43.9	53.3
Carbaryl	672.83	817.01
Chlordane	0.031	0.038
Chlorpyrifos	0.012	0.015
Chromium (trivalent)	N/A	N/A
Chromium (hexavalent)	389	473
Copper	69.2	84.0
Copper (oyster waters)	N/A	N/A
Cyanide (free)	6.15	7.46
4,4'-DDT	0.0078	0.0095
Demeton	0.785	0.953
Diazinon	0.899	1.09
Dicofol [Kelthane]	N/A	N/A
Dieldrin	0.016	0.019
Diuron	N/A	N/A
Endosulfan I (<i>alpha</i>)	0.037	0.045
Endosulfan II (<i>beta</i>)	0.037	0.045
Endosulfan sulfate	0.037	0.045
Endrin	0.016	0.019
Guthion [Azinphos Methyl]	0.078	0.095
Heptachlor	0.031	0.038
Hexachlorocyclohexane (<i>gamma</i>) [Lindane]	0.176	0.213
Lead	108	131
Malathion	0.078	0.095
Mercury	2.30	2.80
Methoxychlor	0.235	0.286
Mirex	0.0078	0.0095
Nickel	103	125
Nonylphenol	7.68	9.33
Parathion (ethyl)	N/A	N/A
Pentachlorophenol	16.6	20.1
Phenanthrene	8.45	10.3
Polychlorinated Biphenyls [PCBs]	0.235	0.286
Selenium	619	752
Silver	5.01	6.08
Toxaphene	0.0016	0.0019
Tributyltin [TBT]	0.058	0.071
2,4,5 Trichlorophenol	94.2	114
Zinc	169	205

FACT SHEET AND EXECUTIVE DIRECTOR'S PRELIMINARY DECISION

Human Health	70% of Daily Avg.	85% of Daily Avg.
Parameter	(µg/L)	(µg/L)
Acrylonitrile	2751	3341
Aldrin	2.74E-04	3.33E-04
Anthracene	31508	38260
Antimony	25623	31113
Arsenic	N/A	N/A
Barium	N/A	N/A
Benzene	13900	16879
Benzidine	2.56	3.11
Benzo(a)anthracene	0.598	0.726
Benzo(a)pyrene	0.060	0.073
Bis(chloromethyl)ether	6.57	7.97
Bis(2-chloroethyl)ether	1025	1244
Bis(2-ethylhexyl) phthalate [Di(2-ethylhexyl) phthalate]	181	219
Bromodichloromethane [Dichlorobromomethane]	6579	7989
Bromoform [Tribromomethane]	25360	30794
Cadmium	N/A	N/A
Carbon Tetrachloride	1101	1336
Chlordane	0.060	0.073
Chlorobenzene	65481	79512
Chlorodibromomethane [Dibromochloromethane]	4378	5316
Chloroform [Trichloromethane]	184145	223605
Chromium (hexavalent)	12010	14584
Chrysene	60.3	73.2
Cresols [Methylphenols]	222519	270202
Cyanide (free)	N/A	N/A
4,4'-DDD	0.048	0.058
4,4'-DDE	0.0031	0.0038
4,4'-DDT	0.0096	0.0116
2,4'-D	N/A	N/A
Danitol [Fenprothrin]	11316	13741
1,2-Dibromoethane [Ethylene Dibromide]	101	123
<i>m</i> -Dichlorobenzene [1,3-Dichlorobenzene]	14235	17285
<i>o</i> -Dichlorobenzene [1,2-Dichlorobenzene]	78926	95839
<i>p</i> -Dichlorobenzene [1,4-Dichlorobenzene]	N/A	N/A
3,3'-Dichlorobenzidine	53.6	65.1
1,2-Dichloroethane	8708	10575
1,1-Dichloroethylene [1,1-Dichloroethene]	1318561	1601110
Dichloromethane [Methylene Chloride]	318982	387335
1,2-Dichloropropane	6196	7524
1,3-Dichloropropene [1,3-Dichloropropylene]	2847	3457
Dicofol [Kelthane]	7.18	8.72
Dieldrin	4.78E-04	5.81E-04
2,4-Dimethylphenol	201825	245073
Di- <i>n</i> -Butyl Phthalate	2211	2684
Dioxins/Furans [TCDD Equivalents]	1.91E-06	2.32E-06
Endrin	0.478	0.581
Epichlorohydrin	48160	58479
Ethylbenzene	44667	54238
Ethylene Glycol	4.02E+08	4.88E+08
Fluoride	N/A	N/A
Heptachlor	0.0024	0.0029
Heptachlor Epoxide	0.0069	0.0084
Hexachlorobenzene	0.016	0.020
Hexachlorobutadiene	5.26	6.39

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Human Health	70% of Daily Avg.	85% of Daily Avg.
Parameter	(µg/L)	(µg/L)
Hexachlorocyclohexane (<i>alpha</i>)	0.201	0.244
Hexachlorocyclohexane (<i>beta</i>)	6.22	7.55
Hexachlorocyclohexane (<i>gamma</i>) [Lindane]	8.16	9.91
Hexachlorocyclopentadiene	278	337
Hexachloroethane	55.7	67.7
Hexachlorophene	69.4	84.2
4,4'-Isopropylidenediphenol [Bisphenol A]	382357	464291
Lead	238	289
Mercury	0.598	0.726
Methoxychlor	71.8	87.2
Methyl Ethyl Ketone	2.37E+07	2.88E+07
Methyl <i>tert</i> -butyl ether [MTBE]	250774	304511
Nickel	27274	33118
Nitrate-Nitrogen (as Total Nitrogen)	N/A	N/A
Nitrobenzene	44810	54412
N-Nitrosodiethylamine	50.2	61.0
N-Nitroso-di- <i>n</i> -Butylamine	100	122
Pentachlorobenzene	8.49	10.3
Pentachlorophenol	6.94	8.42
Polychlorinated Biphenyls [PCBs]	0.015	0.019
Pyridine	22656	27511
Selenium	N/A	N/A
1,2,4,5-Tetrachlorobenzene	5.74	6.97
1,1,2,2-Tetrachloroethane	630	765
Tetrachloroethylene [Tetrachloroethylene]	6699	8134
Thallium	5.50	6.68
Toluene	N/A	N/A
Toxaphene	0.263	0.320
2,4,5-TP [Silvex]	8828	10720
1,1,1-Trichloroethane	1.88E+07	2.28E+07
1,1,2-Trichloroethane	3971	4822
Trichloroethylene [Trichloroethene]	1720	2089
2,4,5-Trichlorophenol	44667	54238
TTHM [Sum of Total Trihalomethanes]	N/A	N/A
Vinyl Chloride	395	479

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Appendix B

Outfall 002 pH Screening
Calculation of pH of a mixture in seawater
Based on the CO2SYS program (Lewis and Wallace, 1998)
<http://cdiac.esd.ornl.gov/oceans/co2rprt.html>

INPUT		
1. MIXING ZONE BOUNDARY CHARACTERISTICS		
Dilution factor at mixing zone boundary ¹	12.500	12.500
Depth at plume trapping level (m) ²	2.000	2.000
2. BACKGROUND RECEIVING WATER CHARACTERISTICS		
Temperature (deg C): ³	20.00	25.00
pH: ⁴	7.90	7.90
Salinity (psu): ⁵	25.00	20.00
Total alkalinity (meq/L) ⁶	1.00	10.00
3. EFFLUENT CHARACTERISTICS		
Temperature (deg C): ⁷	30.00	20.00
pH: ⁸	6.00	9.00
Salinity (psu): ⁹	1.00	5.00
Total alkalinity (meq/L): ¹⁰	0.40	4.00
OUTPUT		
CONDITIONS AT THE MIXING ZONE BOUNDARY		
Temperature (deg C):	20.80	24.60
Salinity (psu)	23.08	18.80
Density (kg/m ³)	1015.51	1011.27
Alkalinity (mmol/kg-SW):	0.94	9.41
Total Inorganic Carbon (mmol/kg-SW):	0.89	8.90
pH at Mixing Zone Boundary:	7.72	7.96

Notes:

To convert from units of mgCaCO₃/L to meq/L divide by 50.044 mg/meq

PSU refers to the Practical Salinity Scale (PSS) and is approximately equivalent to parts per thousand (ppt)

¹ Calculated from values from May 7, 2024 critical conditions: Effluent % at edge of mixing zone = 8%

² Default value. Various depths tested.

³ Range of temperatures tested (5 to 35 degrees C)

⁴ Ambient pH for Segment No. 2484 from 2010 IPs.

⁵ Range of salinities tested (2 to 30 psu)

⁶ Range of alkalinities tested (1 to 10 mg/meq)

⁷ Range of temperatures tested (5 to 35 degrees C)

⁸ Proposed permit limits. Sequentially modified until predicted pH met segment criteria (6.5 to 9.0).

⁹ Minimum salinity assumed because discharge is freshwater. However, values up to 5 ppt tested.

¹⁰ For high pH scenario, calculated and tested a range of values. For low pH scenarios, used default of 20 mg/L CaCO₃ = 0.40 meq/L

¹¹ Segment No. 2484 Criteria: 6.5 to 9.0

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Appendix C
Comparison of Technology-Based Effluent Limits and Water Quality-Based Effluent Limits

The following table is a summary of technology-based effluent limitations calculated/assessed in the draft permit (Technology-Based), calculated/assessed water quality-based effluent limitations (Water Quality-Based), and proposed effluent limitations. The applicant requested site-specific dilutions which resulted in relaxation of effluent limitations for total copper, total zinc, and free cyanide at Outfall interim phase.

Outfall	Pollutant	Technology-Based				Water Quality-Based				Draft Permit			
		Daily Avg		Daily Max		Daily Avg		Daily Max		Daily Avg		Daily Max	
		lbs/day	mg/L	lbs/day	mg/L	lbs/day	mg/L	lbs/day	mg/L	lbs/day	mg/L	lbs/day	mg/L
001 Interim phase	Flow	-	-	-	-	-	-	-	-	0.478 MGD		1.13 MGD	
	TSS	120	30	399	100	-	-	-	-	120	30	399	100
	CBOD ₅	-	-	-	-	60	15	120	30	60	15	120	30
	COD	598	150	798	200	-	-	-	-	598	150	798	200
	Oil and Grease	40	10	60	15	-	-	-	-	40	10	60	15
	Ammonia (as N)	-	-	-	-	12	3	40	10	12	3	40	10
	Total Residual Chlorine	-	-	-	-	-	-	-	-	Report	Report	Report	Report
	Sulfides	0.88	0.22	1.76	0.44	-	-	-	-	0.88	0.22	1.76	0.44
	Total Copper	-	-	-	-	-	0.055	-	0.12	-	0.055	-	0.12
	Total Selenium	-	-	-	-	-	0.017	-	0.036	-	0.017	-	0.036
	Total Zinc	-	-	-	-	-	0.23	-	0.48	-	0.23	-	0.48
Free Cyanide	-	-	-	-	-	0.0082	-	0.017	-	0.0082	-	0.017	
pH	6.0 SU, min		9.0 SU		-	-	-	-	6.0 SU, min		9.0 SU		
001 Final Phase	Flow	-	-	-	-	-	-	-	-	Report, MGD		Report, MGD	
	TSS	-	30	-	100	-	-	-	-	-	30	-	100
	COD	-	150	-	200	-	-	-	-	-	150	-	200
	Oil and Grease	-	10	-	15	-	-	-	-	-	10	-	15
	Total Residual Chlorine	-	-	-	-	-	-	-	-	-	Report	-	Report
	Sulfides	-	0.22	-	0.44	-	-	-	-	-	0.22	-	0.44
	pH	6.0 SU, min		9.0 SU		-	-	-	-	6.0 SU, min		9.0 SU	
002	Flow	-	-	-	-	-	-	-	-	0.478 MGD		0.478MGD	
	TSS	120	30	399	100	-	-	-	-	120	30	399	100
	CBOD ₅	-	-	-	-	60	15	120	30	60	15	120	30
	COD	598	150	798	200	-	-	-	-	598	150	798	200
	Oil and Grease	40	10	60	15	-	-	-	-	40	10	60	15
	Ammonia (as N)	-	-	-	-	12	3	40	10	12	3	40	10
002	Total Residual Chlorine	-	-	-	-	-	-	-	-	Report	Report	Report	Report

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Outfall	Pollutant	Technology-Based				Water Quality-Based				Draft Permit			
		Daily Avg		Daily Max		Daily Avg		Daily Max		Daily Avg		Daily Max	
		lbs/day	mg/L	lbs/day	mg/L	lbs/day	mg/L	lbs/day	mg/L	lbs/day	mg/L	lbs/day	mg/L
	Sulfides	0.88	0.22	1.76	0.44	-	-	-	-	0.88	0.22	1.76	0.44
	Total Copper	-	-	-	-	-	-	-	-	Report	Report	Report	Report
	Total Selenium	-	-	-	-	-	-	-	-	Report	Report	Report	Report
	Total Zinc	-	-	-	-	-	-	-	-	Report	Report	Report	Report
	Free Cyanide	-	-	-	-	-	0.0088	-	0.019	Report	0.0088	Report	0.019
	pH	-	-	-	-	6.0 SU, min		9.0 SU		6.0 SU, min		9.0 SU	

Outfall 001 Interim Phase

Effluent Characteristics	Existing Discharge Limitations		Proposed Discharge Limitations	
	Daily Average	Daily Maximum	7-day Minimum	30-day Average
Lethal WET limit 100% (Parameter 51713)			Lethal WET limit 100% (Parameter 51713)	
<i>Americamysis bahia</i> (7-day chronic IC ₂₅ ¹)	100%	100%	<i>Americamysis bahia</i> (7-day chronic IC ₂₅)	N/A
Sublethal WET limit 80% (Parameter 51713)			Sublethal WET limit 23% (Parameter 51713)	
<i>Americamysis bahia</i> (7-day chronic IC ₂₅ ¹)	80%	80%	<i>Americamysis bahia</i> (7-day chronic IC ₂₅)	23%
Lethal WET limit 100% (Parameter 51712)			Lethal WET limit 100% (Parameter 51712)	
<i>Menidia beryllina</i> (7-day chronic IC ₂₅ ¹)	100%	100%	<i>Menidia beryllina</i> (7-day chronic IC ₂₅)	N/A
Sublethal WET limit 80% (Parameter 51712)			Sublethal WET limit 23% (Parameter 51712)	
<i>Menidia beryllina</i> (7-day chronic IC ₂₅ ¹)	80%	80%	<i>Menidia beryllina</i> (7-day chronic IC ₂₅)	23%
WET limit >100% (Parameter 51713)			24-hour acute WET limit >100% (Parameter 51713)	
<i>Americamysis bahia</i> (24-hour acute LC ₅₀ ²)	>100%	>100%	<i>Americamysis bahia</i> (24-hour acute LC ₅₀)	>100%

FACT SHEET AND EXECUTIVE DIRECTOR’S PRELIMINARY DECISION

Outfall 002

Effluent Characteristics	Existing Discharge Limitations		Proposed Discharge Limitations	
	Daily Average	Daily Maximum	7-day Minimum	30-day Average
Sublethal WET limit 8% (Parameter 51713)			Lethal WET limit 100% (Parameter 51713)	
<i>Americamysis bahia</i> (7-day chronic IC ₂₅ ¹)	8%	8%	<i>Americamysis bahia</i> (7-day chronic IC ₂₅)	8% 8%
Sublethal WET limit 8% (Parameter 51712)			Sublethal WET limit 80% (Parameter 51712)	
<i>Mysidopsis bahia</i> (7-day chronic IC ₂₅ ¹)	8%	8%	<i>Mysidopsis bahia</i> (7-day chronic IC ₂₅)	8% 8%
WET limit >100% (Parameter 51713)			24-hour acute WET limit >100% (Parameter 51713)	
<i>Americamysis bahia</i> (24-hour acute LC ₅₀ ²)	>100%	>100%	<i>Americamysis bahia</i> (24-hour acute LC ₅₀)	>100% >100%

¹ The IC₂₅ is defined the inhibition concentration of effluent that would cause a 25% reduction in the specified endpoint.

² The LC₅₀ (Lethal concentration 50) is defined as the effluent dilution at which 50% of the organisms survive.